CARL MILLER

On

The United States Constitution

Carl Shows You How:

To keep and exercise your El-Given rights

To understand and implement the laws

To argue and win in court

To handle cops, traffic stops, and judges

Compiled and published by
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THE BEST OF CARL MILLER

Publishers Note:

For over 25 years I have been doing research on the laws and the Constitution of the United States. I have watched as people in the "patriot movement" protesting everything from traffic tickets to income taxes have spewed forth their "theories and remedies" and ended up in jail…Or worse, dead.

Carl's research and knowledge sets him apart from the rest. He has learned intimately the inner workings of the U.S. Constitution and the laws of the country, and has formulated arguments for use in court for almost anything they will try to hammer you for. And has perfected them to the extent that he has an almost 100% win rate in court!

Anyone who is an American, who has any interest in the country and where it's going, needs to read Carl's information here. Whether you are just mildly interested, or you want to beat their sox off in traffic court, tax court, or any other venue, Carl Miller is hands down the best mentor and teacher you can have.

Make sure you sign up for your FREE subscription to the LAW DAWG Reporter Newsletter. We are always looking for more from Carl and others like him.

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Introduction

Carl Miller is an expert on the constitution and the bill of rights. He has studied law for 25 years and has a courtroom win-loss rate of over 90%. He is not an attorney; Carl prefers to represent himself in pria persona, and he delights in tying legal prosecutors in knots, often winning the praise and respect of the judges at the same time. Carl is a highly decorated hero of the Viet Nam War, serving in the elite Apache Troop both as a paratrooper and a crew chief.

The famous movie "Apocalypse Now" and the best-selling book Apache Sunrise are based on the true-life experiences of this group of brave, patriotic Americans.

Carl Miller was inducted into the top secret project "Blue Book", and he considers it an honor to have served in several operations supporting Lt. Col. James "Bo" Gritez, including operation "Eagle Snatch". Carl is the veteran of hundreds of dangerous parachute jumps, breaking his legs or ankles six times, shot down 4 times and personally shot twice. Carl has miraculously escaped death numerous times. Carl credits divine intervention and El's providence for preserving his life to this day so that he may complete the most important mission of his life; that of teaching others the importance of the constitution of the united states and how to use it, and by using it thus preserving it.

Carl has taught hundreds of people, including housewives and truck drivers the fine art of arguing the constitution and winning in court. Carl says it's easy once you know how, and a whole lot of fun, too.

So Here's Carl:

"Good evening folks, I want to thank you for inviting me into your home tonight, to talk to you about an extremely important issue to you. I'm basically here to talk about the United States Constitution and our government, and some of the principles there of. You need to understand most thoroughly so that you can have an effective opportunity to exercise your constitutional rights.

The whole purpose of this is that you understand that these rights come from El. They are El inspired. Alohim is the one who endowed you with these rights, and the constitution merely offers a legitimate program to protect those rights or to secure those rights and the blessings of those rights for ourselves and on our children for all times. It's important that you understand that the constitution El inspired, it's important that you understand that a lot of the principles that are in the constitution actually come out of the Set-apart Bible, and it's very important that you understand that this constitution allows you each to be a king or queen in your own right, as long as you recognize one principle that you don't ever create a situation where you take away the rights of another.. So the

whole point of having the constitution is so that all of us can have these rights equally. As long as we respect our neighbor and allow them also to have the rights equally, the protections are going to last forever and the reality is that we are going to get thoroughly into your constitution, and we want you to find a constitution wherever you can, and we are basically going to take you step-by-step through some of the most important parts of this constitution so that you can better exercise your rights in a timely fashion.

Now the facts are simple: if you don't know your rights, you don't have any rights. We have come a long way with this program to help you. The most important thing I can teach you about this constitution is the importance of reading it you must read the constitution and understand what physically is involved. You must know your rights and timely assert them; that is your burden. If you do not, then a legal term called "latches" incurs in full force. "Latches" is a species of action wherein a party of reasonable intelligence and integrity, having a right to take an action as prescribed by law, and having failed to timely do so loses all right to proceed.

Basically there's an argument: "If I violate your rights you may or may not know about it. If you do know about it, you may or may not be able to do something about it. And if you do have the ability to do something about it, you may or may not have the financial wherewithal to go to a finished program. If you do have the financial wherewithal you may not have the intestinal fortitude to go to the finished program. So most of the time your governments and your abusive personalities in government or you corporations pretty much have Carte Blanche to injure you…Because in 99% of the cases most people will not proceed. But every now and then you run into that one hard nut, and he or she doesn't quit until the cows come home. What happens is that person will prevail, and those are the people who are actually generating better protections and better constitutional rights for you. Those are the ones who are going to the supreme courts and courts of appeals that are pushing, that are spending their life funds to allow you to have the benefit. But if you aren't there to catch the benefit then the benefit is lost.

The Constitution

It's important that you understand that the constitution is in writing, It's important that you understand that it's a legal document, that it was ratified by all of the members in congress together, and that document has all the signatures on the document, and it's important that you understand that there was an offer: the government offered to govern.

There was a consideration; the citizens considered how they were to be governed, and government promised that they would govern by constitution. And there was an agreement. The

citizens agreed that if government promised that there would be government by constitution they would allow the constitution into force.

Now there's a unique situation in force here: It's very rare when you find the party of the first part, which is the congressmen, officers of the government, who are also parties of the second part as representatives of we the people of the republic.

When they signed the document, they signed as officers of the government agreeing to the constitution, and simultaneously as officers and representatives of the people in the Republican form of government. When they signed that document that constituted an iron-clad contract in writing enforceable in a court of law, pursuant to the statute of frauds.

Now, all we ask is that they enforce the contract. If we read something in the constitution, and we have a good reason to believe it is the way it is, then they should honor that. And they should honor it in favor of you, the clearly intended and expressly designated beneficiary.

The first thing you need to understand is Article 6 paragraph 2 of the constitution. This is known as the supremacy clause of the constitution. Basically what it says is "This constitution, and the laws of the United States which shall be made pursuance thereof, and the treaties made or which shall be made under the authority of the United States shall be the supreme law of the land. The judges in every state shall be bound thereby. Anything in the constitution or laws of any state to the contrary are not withstanding in law.

First important case: ***Marbury v. Madison,*** 5 U.S. 137 (1803).

This is one of the leading cases in the history of the U.S. The opinion of the court was "Anything that is in conflict is null and void of law; Clearly for a secondary law to come in conflict with the supreme was illogical; for certainly the supreme law would prevail over any other law, and certainly our forefathers had intended that the supreme law would be the basis for all laws, and for any law to come in conflict would be null and void of law. It would bear no power to enforce, it would bear no obligation to obey, it would purport to settle as though it had never existed, for unconstitutionality would date from the enactment of such a law, not from the date so branded by a court of law. No courts are bound to uphold it, and no citizens are bound to obey it. It operates as a mere nullity or a fiction of law, which means it doesn't exist in law."

Now let me give you an example in today's timing as to how effective this is: This argument is so effective that it literally nullifies the Brady Bill, it nullifies the crime bill that takes away the right of the people to keep and bear arms on these 19 weapons that turn into 159 weapons, it stops the 666 bill that just went through that they're trying to take away the 4th Amendment, Because they have no

power to pass a law that's in conflict with the United States Constitution, and it's automatically null and void of law from its inception; not from the day you go to court and brand it as unconstitutional.

A lot of people think they have got to go to court and brand it unconstitutional. But if you know your arguments and you can show your arguments, most of the time you will win. Every now and then you will run into a hard-nose, but I will show you how to deal with him, too.

The next thing I'm going to teach you is about the second amendment. The second amendment is the one everybody talks about today and the one that probably gets railroaded the most. The next is the fourth amendment and the fifth amendment.

The second amendment is one of the most vital amendments here because our forefathers had such an important understanding of life, liberty and the pursuit of happiness…That was the first amendment…That they turned around and realized that without the right to protect that first right, they didn't have that right. So the second amendment they instituted the right of the people to keep and carry arms, and that right shall not be infringed. Now they started out by saying "A well regulated militia being necessary for the maintenance of a free state. Now that is a true statement. But the most important part about that second amendment is where it says "The right of the people" and the Supreme Court has ruled in hundreds of cases that whenever it says "the right of the people" it means the right each, of every single citizen to possess the right equally. Now a lot of guys like to hand out this minloa "Well, that's a collective right, you have got to be a member of the militia", that's all B.S. You don't have to be a member of the militia…All you have to do is be an American. You have the right. The right to keep and carry arms, and that right shall not be infringed.

Now note after "infringed" there is no sub paragraph a, b, c, d, e, which would stipulate what would be an acceptable infringement. So all infringement is forbidden. I ask them "what is it that you don't understand about the work infringement?" Because that's what it says when you look it up in Black's Law dictionary.

When you want to talk to these people in court you want to have Black's Law Dictionary. You would be absolutely amazed what's in Black's Law Dictionary. These are the exact words that you need to be able to definitively define the work game problem we are having with these people today. They keep changing the words. But guess what? The words in this book are the words that were written when we were in the constitution when it was signed. And the definitions that are in this book are enforceable in a court of law. You can bring this book into court and pull it open and say "this is the one, judge". And the have to listen. And that's the way it is.

So, for sure if you are going to be in this, go down to a book store or Amazon.Com and get a copy of Black's Law Dictionary. You need that to be in this because it's like defining the map of how to get from A to B. You have to have this book so you can pull it out and say "Hey, don't trample my rights."

Another good book on the constitution you can pick up is "The American Constitution" put out by West Publishing co. This goes into a whole lot of widened arguments as to your constitution. Now after I'm finished talking to you you're going to have a new concept of the constitution and how it works. You're going to understand that it's what you say it is. If you have got an honest right…I'll give you an example…

Now the first amendment basically talks about the right of life, liberty and the pursuit of happiness. But isn't the right to work part of the right to life, liberty, and the pursuit of happiness? You've got a right to work, right? To contract your labor, your skill and your time and life as you see fit, right? That's a first amendment right. Another first amendment right would be the right to travel freely and unencumbered. No state can require you to have a license to travel freely and unencumbered and we will go into that and show you how that is taken care of.

The bottom line is you need to learn as much as you absolutely possibly can in the shortest possible time about your constitution, because I'm telling you right now as we speak they're trying to curtail that constitution and take away rights that you have that have been given to you by your forefathers. There's only two things that are going to stop that. The first thing is that if we all get together, get ahold of the constitution and start shaking it. "Whoa, horsie, we're not letting you take away that constitution. This is America, we've got an American Flag on the pole out front. Last time I checked this is America and we have got a constitution here and you ain't touching that constitution.

> The second way we can do it is if necessary and proper our armed militia can come together and decide to tell these people that are giving aid and comfort to the enemies of our country by breaking our laws that you have broken the law of ***Title 18 U.S. Code section 2381***, which says "When in the presence of two witnesses to the same overt act or in an open court of law if you fail to timely move to protect and defend the constitution of the United States and honor your oath of office you are subject to the charge of capital felony treason, and upon conviction you will be taken by the posse to the nearest busy intersection and at high noon hung by the neck until dead…The body to remain in state till dusk as an example to anyone who takes his oath of office lightly. You see, without that oath of office this constitution is worthless. That's why we have you take that oath of office, so we know that you will honor that oath of office,

and that you will keep our constitution. The bottom line here is that you have to know to be able to exercise your constitution.

The most important part of your constitution are in the first ten amendments. Obviously the right of the people to keep and carry arms shall not be infringed. And that right shall not be infringed. You must claim your right if you want to have it. You have to be willing to do that. And if they are going to take your right, then you have to be willing to challenge them whatever the cost. The bottom line is that any law that comes in conflict with that, what do we talk about in Article 6 paragraph 2? If any law should come in conflict with the supreme law it's null and void of law, it bears no power to enforce, no obligation to obey, and it purports to settle as if it never existed. The unconstitutionality dates from the enactment of such law. If any portion of a bill is unconstitutional the entire bill is unconstitutional. Why? Repugnancy…It's repugnant to the constitution. Now, other cases involved are your rights to due process…Like under your 4th, 5th, and 6th amendments. The right of people to be secure in their houses, person, papers, and affects against unreasonable search and seizure shall not be violated. No warrant shall issue but upon probable cause supported by oath or affirmation, and particularly describing the place to be searched and the person or things to be seized. Obviously that would imply that he'd gone before a judge and said this is the guy, he did it, this was the crime, and this is the evidence we are looking for, judge. We'd like to get a warrant and we swear that what we told you is the El's truth. Then they can come over and search until hell freezes over.

Now it's important to jump to the 9th amendment. Enumeration in this constitution of certain rights shall not be construed to deny or disparage others retained by the people. This means congress has no authority to add on to the constitution in such a way that would take away rights previously guaranteed.

10th amendment…the powers not delegated to the United States by the constitution nor prohibited by it are reserved to the states respectively or to the people. The constitution is a contract designed to limit government. When you get into your police powers you start understanding your police powers

You will hear this all the time: "Well, we have police powers. Broad and sweeping police powers". Black's Law Dictionary says "Police powers: The law of eminent domain in a state or political domain to enact laws for the common good and welfare, and to curb crime, and in great big black letters it says "Within constitutional limitations…See 10th amendment".

Do they have powers to take away rights guaranteed by the constitution? Obviously they don't. The 9th amendment put a clear limit on that.

5th amendment. No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury, except in cases arising in the land or naval forces, or in the Militia, when in actual service in time of War or public danger; nor shall any person be subject for the same offense to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.

Due process: You have a right to due process of the law. If they don't give you due process, ***Title 5 U. S. Code section 556 (d)*** is clear and specific and says if they deny you due process of the law all jurisdiction ceases automatically. If they deny you due process at any time, and you can prove it, you can force a showdown…You can say "Well, they might have had jurisdiction at one time, judge, but they lost it when they denied me due process.

6th amendment: In all criminal prosecutions the accused shall enjoy the right to a speedy and public trial by an impartial jury of the state and district where the crime shall have been committed, and to be informed of the nature and the cause of the action and accusation. To be confronted with the witnesses against him. To have compulsory process to obtain witnesses in your favor, and to have assistance of counsel in your defense…Or you can stand as your own counsel. You are the one who best knows your case. You are the best person to present the facts on your case because you are the person who knows your case the best.

7th amendment: In Suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury, shall be otherwise re-examined in any Court of the United States, than according to the rules of the common law.

The bottom line to this constitution is that it's all in writing, it clearly represents a contract. I'm asking you to learn your contract, so that you can understand the rights you have under that constitution.

It is also important that you understand that this constitution is supposed to be enforced…From ***Am Jur vol. 16, constitutional law section, sec. 97***…"That a constitution should receive a liberal interpretation in favor of the citizen is especially true with respect to those provisions which were designed to safeguard the liberty and security of the citizen in regard to both person and property. (see note 31, ***Bryer's v United States*** 273 U.S. 28. In other words it's supposed to be liberally enforced in favor of the citizen for the protections of their rights and property. Any

constitutional provision intended to confer a benefit should be liberally construed in favor of the clearly intended and expressly designated beneficiary. ***Dejammer v hoskill of Albany***

This constitution is a contract in writing enforceable in a court of law pursuant to the statute of frauds. "I'm asking for specific performance, your honor…In favor of me" "I am the beneficiary of the contract."

The contract shall be enforced most favorably in favor of the non-preparer…And that's you.

If you truly believe that you have a right, and you timely bring that right before a proper adjudicated authority, and you can clearly stipulate what your right was, guess what? They have to listen.

If you know your rights and you timely assert those rights, you have those rights. But if you sit on your haunches and you cry foul, you lose those rights.

Argument 98 dealing with the effects of an emergency.

"While an emergency cannot create power, and no emergency justifies the violation of any of the provisions of the United Stated constitution or state constitution, public emergencies such as economic depression they cannot be in conflict with the constitution. The concept that an emergency could conflict the constitution was rejected. In one case the court holds that neither the legislature nor any executive or judicial officer may disregard the provisions of the constitution in cases of emergency. Where the plain and unequivocal terms of the constitution present two questions of construction and departures in emergencies. So even in emergencies justifies the taking away of constitutional rights.

As to the construction with reference to the common law, an important canon of law is this: Constitutions must be construed with reference to the common law. Since in most respects the federal and state constitutions did not repudiate but shares the common law, this fact has been taken into consideration by the courts in construing certain clauses in a state constitution, such as the provision securing the right to a jury trial. Also provisions in regard to crimes have been interpreted with reference to the common law rules, that one charged with a crime may be convicted of a lesser offense necessarily included in the crime charged. In such cases the courts of the state always regard the language in the common law sense. The common law prevails.

The common law also permitted construction of the abatement of nuisances by summary proceedings…(Traffic Tickets). That's what a traffic ticket does. It is a writ of assessment, a bill of attainder. It's unlawful in the United States. And it was never supposed that a constitutional provision

was intended to interfere with this established principle. And although there is no common law of the United States in the sense, ***Erie Railroad v Thompkins***. In interpreting the constitutions of the United States, recourse still may be had to the aid of the common law of England. It has been said that without reference to this common law, the language of the federal constitution could not be understood. This is due to the fact that this instrument in the plan of government of the united States were founded on the common law as established in England at the time of the revolution. Therefore it is the general rule that the phrases in the bill of rights taken from the common law must be construed in reference to the latter. Specifically the United States Supreme Court has taken the common law into consideration in construing the fourth amendment and the fifth amendment provisions relating. So the common law is extremely important. Most of you out there are citizens at the common law.

Am Jure 16. Sec 114 - 117: Various facts and circumstances extrinsic to the constitution are often resorted to by the courts to aid them in determining its meaning. As previously noted, however, such extrinsic aids may not be resorted to where the covision in the question is clear, and unambiguous in such a case the court must apply the terms of the constitution as written. They are not at liberty to search for meanings beyond the instrument.

Am Jure 16, sec 165: Since the constitution is intended for the observance of the judiciary as well as other parts of government, and the judges are sworn to support its provisions (sworn…as in Oath of office), the courts are not at liberty to overlook or disregard its commands or countenance evasions thereof. It is their duty in authorized proceedings to give full effect to the existing constitution, and to obey all constitutional provisions irrespective to their opinion of the wisdom or the desirably of such provisions, and irrespective of the consequences. Thus is said that the courts should be in our alert to enforce the provisions of the United States Constitution, and guard against their infringement by legislative fiat or otherwise. In accordance with these basic principles the rule is fixed that the duty in the proper case to declare a law unconstitutional cannot be declined, and must be performed in accordance with the delivery of judgment of the tribunal before which the validity of the enactment is directly drawn into question. If the constitution prescribes one rule, and the statute another, in a different rule, it is the duty of the court to declare that the constitution and not the statute governs in cases before them for judgment.

They are telling the judge "You have got to rule in favor of the constitution". I'm asking the judge to do his duty under his sworn oath of office, and uphold the United States Constitution as he swore he would under Article XXXX, paragraph XXX ***[Look up for your state]*** in this state, which says "That he shall swear to protect and defend the constitution from all enemies foreign and domestic, and he will perform his duties to the best of his abilities so help him El."

Am Jur 2nd sec 177 Declaratory judgments. Declaratory judgment actions have often been utilized to test the constitutionality of a statute and government practices. The uniform declaratory judgments act makes specific provisions of the determination of construction or validity of statutes or municipal ordinance by declaratory judgment and is considered to furnish a particularly appropriate method for the determination of controversies relative to the construction and validity of the statute. And of ordinances. The federal declaratory judgment act has been invoked frequently as a means of assaying the constitution of congressional legislation.

A plaintiff can have a declaratory judgment action on the constitutionality of either the federal or state statute by a single federal judge; so long as he does not ask to have the operation of the statute enjoined.

A court may grant declaratory relief unless there is a case in controversy before the court. That is the dispute must consist of specific adverse claims based upon present rather than future or speculative facts on which to base the education. You have a right to demand a declaratory judgment.

16 am jur sec 255. In all instances when the court exercises its power to invalidate legislation on constitutional grounds, the conflict of the statute with the constitution must be irreconcilable. The court is without authority to declare a statute unconstitutional unless it is in positive or in direct conflict with the statutes or with the constitution.

Thus a statute is not to be declared unconstitutional unless so inconstant with the constitution that it cannot be enforced without a violation thereof. Because that would be violating the constitution: ***Marbury v Madison***.

A clear incompatibility between law and the constitution must exist before the judiciary is justified in holding the law unconstitutional. This principle of course is in line with the rule that doubts in the constitutionality should be resolved in favor of the constitutionality and the beneficiary (you).

Am Jur 256: The general rule is that an unconstitutional statute, whether federal or state, though having the form and name of law is reality no law; but is wholly void and ineffective for any purpose. Since unconstitutionality dates from the time of the enactment, not merely from the date of the decision so branding it. An unconstitutional law in legal contemplation is as inoperative as if it had never been passed. Such a statute leaves a question that it purports to settle just as it would be had the statute not ever been enacted.

No repeal of an enactment is necessary since an unconstitutional law is void. The general principle follows that it imposes no duties, confers no rights, creates no office, bestows no power or

authority on anyone, affords no protection, and justifies no acts performed under it. A contract which rests on an unconstitutional statue creates no obligation to be impaired by subsequent legislation.

No one is bound to obey an unconstitutional law, and no courts are bound to enforce it. Persons convicted and fined under a statute subsequently held unconstitutional may recover the fines paid. A void act cannot be legally inconsistent with a valid one, and an unconstitutional law cannot operate to supersede an existing valid law. Indeed insofar as a statute runs counter to the fundamental law of the land, it is superseded thereby. Since an unconstitutional statute cannot repeal or in any way affect and existing one, if a repealing statute is unconstitutional, the statute which it attempts to repeal remains in full force and effect. Where a clause repealing a prior law is inserted in the act, which act in unconstitutional and void, the provision of the repeal of the prior law will usually fall with it, and will not be permitted to operate as repealing such prior law.

The general principle stated above applies to the constitution as well as the laws of the several states insofar as they are repugnant to the constitution and the laws of the United States. Moreover a construction of a statute which brings in conflict with a constitution will nullify it as effectively as if it had in its expressed terms been enacted in conflict therewith. Anything passed in conflict with the constitution is clearly unconstitutional.

Am Jur 257: The actual existence of a statute prior to the determination that it is unconstitutional is an operative fact, and may have consequences which cannot justify being ignored. When a statute which has been in effect for some time is declared unconstitutional, questions of rights claimed to have become vested of status of prior determinations deemed to have finality, and acted upon accordingly and of public policy in the light of the nature, both of the statutes and of its previous application demand examination.

It has been said that an all-inclusive statement of the principle of absolute retroactive invalidity cannot be justified (It would be ex-post facto). An unconstitutional statute is not necessarily a nullity; it may have indeterminate consequences binding upon the people.

Am Jur 258 "On the other hand it is clear that congress cannot by authorization or ratification give the slightest effect to a state law or constitution which is in conflict with the constitution of the United States.

Am Jur 260: Although it is manifest that an unconstitutional provision in the statute is not cured because its included in the same act with valid provisions, and that there are no degrees of constitutionality. So that an act is either constitutional or it is unconstitutional. (So if you have a statute that is partly constitutional and partly unconstitutional, it is ALL unconstitutional.)

For the last half hour I have been trying to hammer home the power of this book (the constitution). If you know what's in this book, I'm telling you that you are in full possession of your American citizenship. If you don't know what's In this book, you are going to be a slave; subject to the whim of extra-judicial people who want to tell you what to do, when to do it, how to do it, and how high to pack it.

Learn your book. Know your arguments backwards and forwards. Don't let somebody come and tell you what is not the law, don't let them tell you that you don't have any rights. "I love it when these guys tell me I don't have any rights…I say 'well if you believe that, let's go to court, and at the end of the day we'll see who owns who…But I'm going to tell you right now that if you violate any of my constitutional rights I will sue your sox off and attach everything you have; Bank, business, and home'."

Special Argument developed

Now, we're going to get into a very special argument…This argument has taken 18 ½ years to develop, and I want you to pay attention. This argument is a unique concept that has been honed like a razor, to a very meticulous edge so that you can understand what's going on.

Obviously we have established that you have a constitutional right. And obviously we have established that you are the beneficiary of the contract. We have established that the constitution is a contract in writing enforceable in a court of law, and that you have a right to claim specific performance on the contract. We have established that it is supposed to be interpreted in your favor. So if you have an honest constitutional belief, they have to listen.

Now let's take that to the next step" Can a state arbitrarily and erroneously convert your right into a privilege and issue a license and a fee for it?

Murdock v. Pennsylvania, 319 U.S. 105 (1943) (Supreme Court trumps everything else)

Murdock is basically a religious test case. A religious group wanted to go out and preach among the public as that is their right to evangelize.

Pennsylvania wanted them to have a license to solicit.

The group claimed their first amendment right of life, liberty and the pursuit of happiness, the right to worship and exercise their religion unencumbered. The points on the case that are established are "A state may not impose a charge for the enjoyment of a right granted by the federal constitution; and that a flat license tax here involved restrains in advance the constitutional liberty of press and religion, and inevitably tends to suppress the exercise thereof." That the ordinance is non-

discriminatory, and that it applies also to peddlers of wares and merchandise is immaterial. The liberties granted by the first amendment are in a preferred position. Since the privilege in question is guaranteed by the federal constitution, and exist independently of the state's authority, the inquiry as to whether the state has given something for which it cannot ask a return is irrelevant.

No state may convert a secured liberty into a privilege and issue a license and a fee for it. Now a lot of people will come back to me and say "Well, I'm not a part of that religious group…It doesn't apply to me".

You need to reach. Understand we're not talking about whether you are in the religious group or not. We're talking about here is 'are you and American and do you have rights?' What they are talking about here is that that religious group exercised their rights timely. That they had a right to worship and evangelize as they chose, and that the state came in and arbitrarily converted that right into a privilege and issued a license and a fee for it. That is totally unconstitutional.

Now we took that case as a pioneering case, and we argue that case for all of your constitutional rights. All you need to do is keep in mind that

1. You are an American and that you have constitutional rights.
2. You have to keep in mind "What right"? Can you pull the right out of the constitution?

If you can pull the right out of the constitution…and I will give you and example: How about the right to travel freely and unencumbered, pursuant to ***Shapiro v. Thompson***, 394 U.S. 618 (1969)? How about the right to keep and bear arms? Does the state have the right to require a license and fee for the exercise of the right? And if they do can you ignore the license and fee?

The premise of this case is clearly established; NO STATE MAY CONVERT A SECURED LIBERTY INTO A PRIVILEGE ISSUE A LICENSE AND FEE FOR IT, AND REQUIRE YOU TO HAVE THAT: OTHERWISE YOU COMMITTED A CRIME.

Let's jump to the next case: ***Shuttlesworth v. City of Birmingham,*** 373 U.S. 262 (1963)…This is another unique religious case. In this case six ministers were accused of inciting to riot and otherwise create a disturbance…Disturb the peace. They had a sit-down (this case came down in 1962). The city said they needed to have a license to have a public gathering. It went to the Supreme Court, and the Supreme Court said "No, you don't have to have a license for the exercise of a first amendment right to freely assemble."

The gist of the case is that Negro ministers were convicted in the Alabama State Court of "Aiding and abetting in violation of criminal trespass ordinance in Birmingham Ala. The only

evidence against them was to the effect that they had incited ten Negro students to engage in a sit-in demonstration at a white lunch counter as a protest against racial segregation. The court held that on the case of ***Peterson v City of Greenville,*** 373 U.S. 244 (1963) that the convictions of those ten students for criminal trespass were constitutionally invalid. Since those convictions had been set aside it follows that these petitioners did not incite, aid, or albeit any crime, and therefore the convictions of these petitioners must be set aside. Now basically what they were claiming was their constitutional right to freely assemble; the city was claiming that they had to have a license to put on a demonstration, which they didn't have, and they were charging them with a criminal trespass, for not having a valid license to freely assemble and/or protest.

Now I want you to see the significance of this case in view of the case we just had. ***Murdock v Penn*** clearly established that no state could convert a secured liberty into a privilege and issue a license and a fee for it.

Shuttlesworth v Birm. Said that if the state does convert your right into a privilege and charge a license and a fee for it you can ignore the license and fee, and engage in the right with impunity. That means they can't punish you…they have to let you go.

It's very important that you understand first your constitution is the supreme law of the land and that you have that right, and that right shall not be infringed, and it's supposed to be enforced in favor of you, the clearly intended and expressly designated beneficiary. It's very important that you understand that no state may convert that right into a privilege and issue a license and fee for it, and if they do. Shuttlesworth says you can ignore the license and engage in the right with impunity…They can't punish you.

Now, the next case is very important, and it's important that you see the argument.

> ***U. S. v Bishop,*** 412 U. S. 346 (1973)…Basically what Bishop does is it sets a standard for what constitutes a criminal violation in terms of willful intent. Willfullness is one of the elements which is required to be proven. In any criminal element you have to prove that 1. You are the party, 2. That you had a method or opportunity to do a thing, and 3. That you did so with a willful intent.

Now, when we get to willful intent, willful is defined as an evil motive or intent to avoid a known duty or task under the law with immoral uncertainty. Obviously you have decided that you have relied on the United States Constitution, and you have relied on the decisions of the supreme

court. So could you have willfully done any deed or crime? Obviously not. So this case stipulates that you have a perfect defense for the element of willfulness. Since the burden on the prosecution is to prove that you did willfully and knowingly avoid a known duty or task under the law with immoral certainty he cannot perform that task, because you obviously have your constitutional immunity to that. The previous case, Shuttlesworth says they couldn't even punish you. The case before that said you don't even need a license for the exercise of a right. And the case before that said your constitutional right is supreme over any state law. So if they pass a law in violation of your constitution, the constitution overwhelms the state law, so the law doesn't even exist in law.

Now, since the prosecutor does not have a cause of action for which relief can be granted, you honor would it please the court, counsel is specifically precluded from performing his major task, therefore your honor, would it please the court at this time I would motion most graciously for dismissal with prejudice for failure to state a cause of action for which relief may be granted by this honorable court, and I'd kinda like to collect my costs and fees for having to defend this patently frivolous and spurious complaint, sir, may it please the court.

This argument is a killer argument. It's good for every single constitutional right you've got. All you have to do is fill in the blanks: What constitutional right, Prove you have the constitutional right, Tell them that the state does not have the right to convert that right into a privilege, and they can't punish you if they do, and then claim that the prosecutor can't prove willfulness so you obviously didn't do any crime, and then flip around and demand for you dismissal, which is your right, and get your costs and fees for having to defend this frivolous case may it please the court, and I promise you, you will be amazed at the results.

These things have personally happened to me…I can relate the exact cases. That goes for practicing law without a license. Obviously you have a right to work…The right to contract you labor as you see fit, not as some arbitrary and capricious bar association sees fit. If you don't want to belong to the union, that's your right. You are in a "right to work" state.

The bottom line is this: They cannot compel you to have a license or pay a fee for the exercise of your right. And if they do, you can ignore the license and engage the right with impunity. That means they can't punish you. And since you have a perfect defense for the element of willfulness, punish you. They have to dismiss, don't have a cause of action.

Now this argument, I'm tellin' you, has taken us over 18 years to develop in the courts, and in law libraries over the years; compiling and arguing cases and using this argument…It's a killer

argument…Have yet have they ever won against us on this argument, nor could they in the United States of America as long as the constitution stands.

Pay attention to this argument and start using it. We'll show you some if the techniques later.

Now the word willfully has the same meaning, all right? In controlling the voluntary intentional violation of a known legal duty. And the distinction between the statute is found in the additional misconduct that is essential to the violation of the felony provision. If they can't prove willfulness they can't prove nada.

No Immunity

Now that you've won, and your rights have been violated, the next thing they will claim is "Well, we acted in good faith…We had good faith reliance that you broke the law…And that means you can't sue us. That's a lie. Since these two cases, ***Owen v. City Of Independence*** , 445 U.S. 622 (1980) and ***Maine v Thiboutot***, 448 U.S.1 (1980).

Basically what these two cases say "Where plain language of a statute supported by consistent judicial interpretation is strong, it is not necessary to look beyond the words of the statute."

These are both civil rights cases. "The right of action created by statute relating to deprivation under color of state law of a right secured by the constitution and the laws of the United States encompasses claims which are solely based on statutory violations of federal law, and applied to the claim that claimants had been deprived of their rights in some capacity, to which they were entitled.

Now when ever his happens, folks, you must understand something that goes for both of these cases: Owen was a police chief in the town of Independence, Mo. He got into a gripe with the city council and they fired him without just cause. Owen turned around and sued.

They claimed that they acted in "good faith".

The Supreme Court said "You are deemed to be officers of the law; you are to advise us of the law; you can hardly claim that you in good faith for willful deprivation of the law, and you certainly can't claim ignorance of the law, because a citizen out here on the street can't claim ignorance of the law. It makes the law look stupid if an officer of the court or some officer of government doesn't know the law and then they go ahead and abuse somebody's constitutional rights.

So in matters of constitutional rights both these cases uphold one point: Whenever they violate your constitutional rights they do so at their own peril. It even says that at ***Title 18 Sec 241, 242***. It says that upon conviction you are subject to a $10,000 fine, 10 years in jail, or both, and if death results life in prison. They're telling you "Don't violate somebody's rights".

Title 42 USC sec. 1983, 1985, & 1986 clearly establish your right to sue anybody that does that. Now they're going to claim that you can't sue them, because they have judicial immunity. Well, guess what? These two cases remove judicial immunity. There is no judicial immunity for violating someone's rights.

Judge, you are deemed to know the law and swear to uphold it. You can hardly claim that you acted in good faith for willful deprivation of the law and you certainly can't claim ignorance of the law for that would make the law look stupid for a knowledgeable judge to claim ignorance of the law when a citizen on the street can't claim ignorance of the law.

Therefore there is no judicial immunity. These cases have been on the books since 1982, so when someone says they can violate your rights with impunity, you just smile and say "Make my day".

Construed in your favor

The next case we want to talk about is ***Bryars v United States,*** 273 U. S. 28 (1927). This is a search and seizure case which sets constitutional standards which we talked about in the Am Jur Sections. I especially want you to pay attention to note #3 here: Constitutional provisions for the security of a person and property are to be liberally construed, and it is the duty of the court to be watchful for the constitutional rights of the citizen, and against any stealthy encroachment therein. When a federal officer participates with a state official in a search so that in substance and in effect it is their joint operation, the legality of the search and the use in evidence of the things seized is to be tested in federal prosecutions as it would be if the undertaking were exclusively the federal agent.

The reality here is what they are setting is the standards must be liberally construed in favor of the citizen. It's the duty of the court to make sure that happens. So now, you have a right to be wrong, you have a right to enter your viable defenses that you honestly think, no state can turn that right into a privilege and issue a license and a fee, and if they do you can ignore the license and fee. They must prove the burden of proof of willfulness which they cannot do. If they do violate your rights you do have a right to sue them ***Owens v City of Independence and Maine v Thiboutot,*** They have to give every consideration to you, and that's the way it is.

The next case we want to talk about is ***Boyd v United States***,116 US 616: The court is to protect against encroachment of constitutionality or security liberty. It is equivalent to a compulsory production of papers to make the non-production of them a confession of the allegations, which is pretended they will prove, and a lot of times that will happen in federal cases. They will claim

something, they won't prove it, it's happened to me, believe me, and then the fact that they have claimed it makes it true. And then, of course, you have to prove a negative, which is impossible.

Now, the seizure or compulsory production of a man's private papers to be used in evidence against him is equivalent to compelling him to be a witness against himself. That's a violation of the Fifth Amendment, and in a prosecution for a crime, penalty or forfeiture is equally within the prohibition of the Fifth Amendment.

The bottom line here is ***Boyd*** protects against the encroachment of constitutionally secured liberties. It's arguing Fifth Amendment here but it's basically arguing against encroachment.

Another case you should know is ***Miranda v. Arizona***, 384 U.S. 436 (1966). This is one of the most important things I am going to tell you. The ***Miranda*** decision is a heavy duty case. Every American should know this case forward, backward, and inside out.

Miranda

This is the one that says "You have the right to remain silent, you have a right to an attorney, you have the right to have your attorney present during questioning, anything you say can and will be held against you on a court of law, if you can't afford an attorney one will be appointed for you by the court, do you wish to make any statement on your behalf and do you understand the rights I have spoken to you. As soon as they start talking to you they are required to say that. If they don't say that, They screwed up. If they haul you into jail and they don't tell you this, read it to you, and then they want to make you sign a little statement that you know your rights and you knowingly waive them, please folks, don't sign that statement. Use your head for something other than a hat rack. Do not sign that statement….EVER! You are knowingly waiving your constitutional rights. Don't ever do that.

As soon as you hear those people talking like that you tell them "I want an attorney"…'And I'm not saying anything until I have an attorney". (Especially if you are talking to federal people like BATF.) These people will lie, cheat and steal and do anything they can to hammer you. Their whole purpose in life is to hammer you. I don't want you to think 'Oh, what nice guys…maybe we can work this out…why don't we just talk and maybe we can get things worked out.'

You don't talk to these people, folks. When you talk to them you will learn the hard way. Do not talk to these people EVER! I don't care if you think you're a nice guy and you want to be courteous, if you think you're going to work it out, or if you think you can talk to them and you're smarter than them, I don't care…YOU DON"T TALK TO THEM…PERIOD.

It's when you open your big mouth that you get in trouble. Not that you would do anything wrong anyway, but they'll twist, lie, cheat and steal and make it into something you didn't do, and before you know it you won't even recognize what's happened. I'm telling you it's happened to me.

Now, let's look at this ***Miranda*** decision. In the absence of other effective measures the following procedures to safeguard the Fifth Amendment privileges must be observed: the person in custody must prior to interrogation be clearly informed that he has a right to remain silent, and that anything he says will be held against him in a court of law. He must be clearly informed that he has a right to consult with a lawyer and have a lawyer with him during interrogation. DO THAT PLEASE. And that if he is indigent a lawyer will be appointed to represent him. If he indicates prior to endearing questioning that he desires to remain silent the questioning must cease. If he states he wants an attorney the questioning must cease until an attorney is present.

Where an interrogation is conducted without the presence of an attorney and a statement is taken, a heavy burden rests on the government to demonstrate that the defendant knowingly and intelligently waived his constitutional counsel right. Don't test that theory. But I'm telling you it works…I did it.

Where the individual answers some questions during interrogation or custody interrogation he does not waive his privilege, and may invoke his right to remain silent thereafter. The warnings require that the waiver needed are in the absence of a fully effective equivalent prerequisite to the admission or admissibility of any statement. Inculpability or exculpability made by the defendant. The limitations on the interrogation process required for the protection of the individual's constitutional rights should not cause an undue interference with the proper system of law enforcement as demonstrated by the procedures of the FBI and the safeguards afforded to other jurisdiction. In each of these cases statements were obtained under circumstances that did not meet constitutional standards for protection of the privilege of self incrimination.

There are 4 Miranda cases. That was the leading case. Then there is the Miranda Warning case, that actually locks down the steps of the warning, and then there is a Miranda Interrogation case, which locks in the standards for in-custody jail interrogations.

Our next case is Norton ***v Shelby County***, 118 US 425: An unconstitutional act is not law. It confers no rights, it imposes no duties, it affords no protections, it creates no office, it is in legal contemplation as inoperative as though it had never been passed.

Unconstitutional Acts

The court follows the decision of the highest court in the state in construing the constitution and the laws of the state unless they conflict with or impair the efficacy of some principle of the constitution or of the federal statutes, a rule of the commercial or general law. The decision of the state courts and questions relating to the existence of its subordinate tribunals and the eligibility of election or appointment of their officers and the passage of its laws are conclusive upon federal courts.

Now, the most important thing is "While acts of defacto incumbent of an office lawfully created by law, an existing are often held to be binding from reasons of public policy. That's a very important point…Public Policy. You want to watch out for the term "Public Policy…" it's often confused with the state's right of eminent domain of police powers. Police powers and public policy are almost the same thing, except that one is done without law because they want to, and the other is done because they're claiming a police authority to do so.

When they're talking about public policy, the acts of the person assuming to fill and perform the duties of an office which does not exist can have no validity whatever in law. An unconstitutional act is not law, It confers no rights, it imposes no duties, it affords no protections, it creates no office, it is in legal contemplation as inoperative as though it had never been passed.

Now, if you take these basic cases that we have gone over so far, you will have gone a long way in getting your constitutional rights back.

This book (Citizens Handbook) It includes the Constitution, jury instructions, arguments, and a lot more. Some of the important arguments in it go along with what I've been talking about.

All laws which are repugnant to the constitution are null and void ***Marbury v Madison*** 5 U.S. 137

Where rights secured by the constitution are involved there can be no rule or law making legislation which would abrogate abolish them Miranda ***v. Arizona***, 384 U.S. 436

An unconstitutional act is not law. It confers no rights, it imposes no duties, it affords no protections, it creates no office, it is in legal contemplation as inoperative as though it had never been passed ***Norton v Shelby County*** 118 US 425

The general rule is that an unconstitutional statute though having the form and name of law in in reality no law, but is totally void. ***16 Am Jur*** **Vol. 2, sec 177, 256**

Officers of the court have no immunity from liability when violating constitutional rights ***Owen v. City Of Independence*** , 445 U.S. 622, and ***Maine v Thiboutot***, 448 U.S.1

No state shall convert secured liberties into privileges and issue a license and a fee for it ***Murdock v. Pennsylvania***, 319 U.S. 105

If the state does convert your liberty in to a privilege you can engage in that right with impunity. ***Shuttlesworth v. City of Birmingham***, 373 U.S. 262

The court is to protect against any encroachment of constitutionally securities ***Boyd v United States***, 116 US 616

Constitutional rights must be interpreted in favor of the citizen ***Bryars v United States,*** 273 U. S. 28

We have covered all of these cases thoroughly, so that you can see clearly

In the Citizen's Rule Book….

"The jury has the right to judge both the laws as well as the facts" John Jay, first chief justice of the Supreme Court.

"The jury has the right to determine both the law and the facts" Samuel Chase, Supreme Court Justice.

"The jury has the power to bring in a verdict in the teeth of both law and fact" Oliver Wendall Holmes, U. S. Supreme Court

"The law itself is on trial quite as much as the cause which is to be decided" Harlan F. Stone, chief justice, Supreme Court

The pages of history shine on instances of the jury's exercise of it's prerogative to disregard the instructions of the judge" ***United States v Dougherty*** 473 fed 2nd, 113.

Applying the Constitution

Now that we have gone over the constitution and talked about some of the ways you can use it, now we're going to go into some of the ways you can apply it. Always remember your best defenses are in your constitution, that that constitution is a viable contract, and it is enforceable in a court of law under the statute of frauds, that you have a right to claim those rights, that the burden is on you to claim them timely…The keyword here is timely…or you lose the right.

So you want to be cognizant of your rights and be able to timely speak up. Now we're going to concentrate as we did before on our main basic cases. We also want to give you some further advanced programming.

The book the federalist papers by Madison, Hamilton, and Jay…Those are the gentlemen who wrote the United States Constitution. You want the mentor edition because it is the unabridged ecition.

Now the Supreme Court has ruled in the case of ***Cohens v. Virginia***, 19 U.S. 264 (1821) that this book, The Federalist Papers, was the exact record of the intent of the framers of the constitution…Madison, Hamilton, and Jay. So obviously being able to read their published thoughts as they were doing this constitution is very forceful in terms of constitutional interpretation. The intent of the lawmaker is the law. And it shall be liberally enforced in favor of you…you are the clearly intended and expressly designated beneficiary.

Everything you can do to enhance your position in terms of how your lawmakers thought when the framed this constitution clearly makes your case even stronger for the constitution to be interpreted in favor of you. So, we recommend you get a copy of this Federalist Papers and read it cover to cover, you want the mentor edition because that's the unabridged edition. You will find that some of the other editions have some of the pages pulled out.

Enabling Clause

First you need to understand that at the beginning of every one of these laws there is an enabling clause that basically says how the law shall be brought into being. And there is an argument that says that the law that is presently here today is based on some law in the past. On almost every one of these constitutions all the way up through our history, through articles of confederation, through the U. S. Constitution, and through various state constitutions they'll have an enabling law in the beginning. The enabling law allows them to bring their version of the constitution on what rights are there today; the rights that were had before are carried on, plus are further delineated by this constitution. But at no time do they have a right to abridge the previous document.

Now, going all the way back to the Magna Carta, you can see the decisions where it comes down. The Magna Carta, the Declaration of Independence, the articles of confederation, the United States Constitution, the Virginia acts of concession, the Northwest Ordinance, the Northwest Territorial Government, the Northwest Territorial Division, Indiana Michigan Territorial Division, the enabling acts, and that's what I'm trying to explain to you today.

In Michigan we have the constitution of 1835, the constitution of 1850, the constitution of 1908, the constitution of 1963. Every time one of these constitutions comes by the enabling acts at the beginning of it state that everything that was before guaranteed is brought forward…And if anything it's supposed to be made stronger.

So all of the rights brought forward are carried all the way back from the Magna Carta as a line of succession. The important thing to understand is that we are going to cover procedures. We are back to our normal procedure here, we have our court cases here, we are going to start giving you examples of court cases as we go, and we are going to show you how you can exercise rights.

Right To Travel

One of the first cases we are going to bring is basically the "right to travel". There's a lot of people interested in this particular issue, and license plates and driver's licenses, and all this, and you have a lot of programming that's problematic from this, and you have a lot of people that are looking to argue, so we want to share some basic arguments with you.

We're going to claim a first amendment right to travel, and we're going to claim also a fifth amendment under due process and equal protection under the law. We find in the Michigan Constitution the protected right to travel. "The freedom to travel is a fundamental right that should be unlimited by statutes, rules, or regulations which unreasonably burden or restrict movement. A law which substantially affects or penalizes the exercise of the right to travel may be justified only by a compelling state interest, and must be tailored carefully to avoid unnecessary infringement of the right.

Freedom to travel throughout the United States has long been recognized as a basic right under the federal constitution (see note 54).

Shapiro v Thompson 394 U.S. P 618 In the beginning of the case they're talking about inhibiting migration by needy persons into a state in constitutionally impermissible. "All citizens must be free to travel throughout the United States uninhibited by statues, rules, or regulations which unreasonably burden or restrict this movement. If a law has no other purpose than to chill assertions of constitutional rights by penalizing those who choose to exercise them, it is patently unconstitutional."

"The equal protection clause prohibits apportionment of state services according to par tax contributions of its citizens. Any classification which serves to penalize the exercise of the right of interstate travel, unless shown to be necessary to promote a compelling government interest, is unconstitutional."

When we go into the case we find out that it says "The right finds no explicit mention in the constitution. That a right so elementary was conceived from the beginning to be necessary concomitant to the stronger union the constitution created. In any event freedom to travel throughout the Unites States has long been recognized as a basic right under the constitution."

We have established that the right is clearly there. For more arguments on that you can go to the law library and find the Federal Digest, and look up the book "Words and Phrases". In this book look up the words "Right to travel" and you will get every Supreme Court Case that has anything to do with the right to travel. One of the leading cases in this one, ***Shapiro v Thompson***, that it's such a basic right it doesn't need to be mentioned.

It is important that you be able to back your arguments up…

In moving from jurisdiction to jurisdiction they were exercising their constitutional right, and any classification which penalizes the right, unless shown to be necessary to promote a compelling government interest, is unconstitutional. The reality was that they exercised their right to timely travel. And the state didn't want to allow that. Now let's flip back here. I'm going to ask you a series of questions. First of all, the constitution is the supreme law of the land…***Marbury v Madison***.

Can a state arbitrarily and erroneously convert a secured liberty…In this case the right to travel freely and unencumbered, into a privilege, and issue a license and a fee for it? Obviously we decided in ***Murdock v Pennsylvania*** clearly "No state may convert a secured liberty into a privilege". Now does everybody see how we plugged that in? Just like on your computer, you fill in the blanks. You have the court case; it says "no state can convert the liberty into a privilege and issue a license and fee for it". What right are we talking about? The right to travel freely and encumbered. So you plug that in.

So, does the state have the right to require you to have a license for the exercise of that right? No.

Now, what happens if the state requires you to have a license? ***Shuttlesworth v. City of Birmingham***, You can ignore the license and engage in the right with impunity. That means they can't punish you. Now, what happens if they pull you over and give you a ticket? Well, you're going to go to court and fight it. You're going to file a brief and we're going to show you how to do that at a later time. We will show you exactly what to put down there, but these are the cases you're going to be putting down on your memorandum of laws as why you have a reason to feel that you're right.

First, that your constitutional right is superior to any law that they would put down. You have that right and they can't pass a law that takes away that right. Secondly, if they do, it's

unconstitutional, thirdly no state may convert a secured liberty into a privilege and issue a license and fee for it, and if they do you can ignore the license and the fee and engage in the right with impunity… ***Shuttlesworth v. City of Birmingham.*** And since you have not done anything evil, and you have relied on your constitution and on Supreme Court decisions, you have a perfect defense for the charge of willfulness, so you could not have been charged with willfully not going and getting a license. You have the perfect defense. ***United States v Bishop*** defines willfulness as an evil motive or intent to avoid a known duty or task under the law with immoral certainty. Obviously you didn't do that, did you? Because you have a perfect defense; you relied on previous decisions of the Supreme Court…Shuttlesworth, Murdock, Marbury…You relied on your constitutional right to travel freely and unencumbered pursuant to ***Shapiro v Thompson,*** So you have a perfect defense.

So now where are we at? "Your honor, may it please the court, I motion for dismissal with prejudice for failure to state a cause of action for which relief may be granted, and I would like my costs and fees for having to defend this frivolous case. You have the right to collect for your time to go to court. You submit your bill, you submit your proposed order, you fill out your own proposed order, that makes the case go faster and the judges like that. It intimidates the Hell out of the prosecutor when you do your own order.

Now, if they say "Well, that's how you interpret that, sir"…

"That's right, sir, that is how I interpret it".

"And 16th Am Juris 2nd, section 97 says that it shall be interpreted in my favor, because I am the clearly intended and expressly designated beneficiary, the citizen, for the protection of your rights and property see ***Byars v. United States,*** 273 U.S. 28. That deals with unlawful search and seizure, but it also says it's supposed to be decided in favor of you, the clearly intended and expressly designated beneficiary for the protection of your rights & property, so they have to enforce it in favor of you, right?

Boyd v United States is next: The court is to protect against any encroachment of constitutionally secured liberties. It's their duty, they have no choice…They have to do it.

In ***Norton v Shelby County*** An unconstitutional act is not law. It confers no rights, it imposes no duties, it affords no protections, it creates no office, it is in legal contemplation as inoperative as though it had never been passed.

Now, after you write all of this down you casually say "Wherefore your honor, I pray before this honorable court for your just and lawful relief. I ask that you dismiss this case with prejudice for failure to state a cause of action for which relief can be granted, and I pray the court for my just relief

for having to defend this patently frivolous and spurious case, and my costs are (whatever they are)" You submit that on your order. "I have a proposed order, your honor, it's in my brief."

At that point they will turn to the prosecutor and ask what he is going to do, and at this point he will usually agree to dismiss. They don't like going up against you, and they can easily be intimidated. I remember this one gentleman who didn't have any plates on his car and the called him into court. He was standing in the hallway and the prosecution said 'Will you come over here, sir, I'd like to talk to you.' So he went in and sat down and said to the prosecutor "What can I do for you?"

The prosecutor said "Sir, what can I do for you…It's not what you can do for me…I'm the prosecutor. What do you want to do on this case?"

"Well, I assumed there was something I could do for you. You called me in here."

"Well, what do you want to do? How do you want to plead on your case"?

"Well I don't intend to plead, sir, I intend to answer in the for m of a demur, such that I do not acquiesce to quasi jurisdiction, cause that's an issue to be brought up in my pleadings and briefs to be filed with the court."

'Are you an attorney, sir?" he asked

"No I'm a truck driver."

The prosecutor was absolutely in a panic. They don't anticipate that people that are in other jobs other than theirs have any brains. It blows their doors off when all of a sudden this truck driver can come in and argue law, and all of a sudden it's like 'Shoot…This guy is good…I have to treat him like an attorney.'

So what does this guy do? The first thing he does right out of the chute he walks up to the judge and tells him "Judge, I'm going to dismiss this case." He realized he was going to get hammered.

The my guy says "He can't do that, I took the day off to come over here and battle".

I told him…I said "Shut up. Sit down and relax…You won. Now just submit your bill."

So the bottom line is this: When you file your papers, and they turn around and you have a win, make sure you have you little bill in there for lost time from work, copies of any copies, filing fees, etc. you had to pay. They have to reimburse you if you win.

When you win they will put a code on your license, and whenever you get pulled over the will just hand your license back and tell you to have a nice day. They don't like people like you…Because you're an American, and Americans don't give up. They never surrender and they fight.

One judge told me one time "Have you any idea how much money you've cost this court today?"

"I hope it was a bunch, your honor, and I hope you have to go write a whole bunch more tickets to break even. The way I figure the more tickets you have to write the sooner the public is going to wake up to this theft, and maybe they'll start doing something positive to stop this kind of stuff, cause it's my belief is that they should be wearing masks out there when the are robbing the people."

When they learn that you are eager to face them in court and fight with them…Now the system is not profitable. So they back off…They put a code on your license and won't bother you anymore.

Right To Work (practice law w/o license)

Now let's take another right. Take your right to work… contract you time and labor and life as you see fit. You r right to work is protected by the First Amendment of the constitution. You have a right to work, and contract you time and labor and life as you see fit.

I get hauled into court here in Oakland County. The judge was the spittin' image of Abe Lincoln. He leans over the chair and says "Well, it's been reported to me son, that you don't have a license to practice law. Is that correct?"

Looked up at him and said "I'm not practicing; I know what the hell I'm doing." And the whole court broke out laughing.

"That's pretty good, I like somebody with a sense of humor. But that doesn't change anything, son. You have to have a license to practice law."

I said "Your honor, I'm an unenfranchised common law freeman. I live at the common law. I'm not a participant in any tontine schemes and limited liability on a joint venture for profit with an insurable interest requiring me to participate in these corporate ponzi schemes. I'm just a little Joe from Kokomo. I live on the block…I live at the common law."

"I have a right to work and contract my labor, my time, and my skill, and my life as I see fit, not as some third party arbitrary and capricious Bar Association sees fit."

I said "Your Honor, the state of Michigan arbitrarily and erroneously converted my right to work into a privilege, and issued a license and a fee for it. That's unconstitutional ***Marbury v Madison*** 5 U.S. 137 (1803). Anything in conflict or repugnancy is null and void of law."

"Since the state converted my right into a privilege and issued a right and a privilege and issued a license and fee for it, ***Murdock v Pennsylvania*** says clearly "No state may convert a secured liberty into a privilege, and issue a license and a fee for it".

"And if they do, ***Shuttlesworth v. City of Birmingham***, 373 U.S. 262 says I may ignore the license and fee and engage in the right with impunity…That means you can't punish me, and ***United States v Bishop*** defines willfulness as an evil motive or intent to avoid a known duty or task under the law with immoral certainty. I submit, your honor, I couldn't have done an evil task, because I was totally following the constitution and the U. S. Supreme Court."

"I would submit that prosecution counsel's burden is that I did willfully and knowingly avoid a known duty or task under the law…Namely to get the license."

"And I would submit he's specifically precluded…He cannot perform his task. Therefore I motion to dismiss with prejudice for failure to claim a cause of action for which relief may be granted, and I would like to collect my costs and fees for having to defend this frivolous and spurious complaint."

The judge turns to the prosecution and asks what he wants to do. The prosecution, being overwhelmed, simply dismissed the case.

Since then every time I see some little person get jammed I'm out there flippin' that wrench. I flip that wrench on them so good that usually they just back off.

Quo Warranto – Dr. Kevorkian

Dr. Kevorkian was a perfect example. The poor man was just trying to help these poor people and they were jamming him every which way but loose. So we taught him about a thing called "Quo Warranto." I got a hold of his attorney and submitted all the arguments.

We're going to bring up several arguments here. We're going to bring up police powers, and we're going to bring up Quo Warranto. Quo Warranto is a basic right that goes back to English law. An old English practice. A writ in the nature of a writ of right for the King…against him who claimed or usurped any office, franchise or liberty, to inquire by what authority is he supporting his claim, In order to determine the right. It lay also in the case of a non-user or a long neglected franchise

(corporation), or misuse or abuser of a franchise. Being a writ commanding the defendant to show by what warrant he exercises such a corporate franchise, having never had any grant of it, or having forfeited it by neglect or abuse.

A common law writ designed to test whether a person exercising power is legally entitled to do so. An extraordinary proceeding prerogative in nature addressed to preventing a continued exercise of authority unlawfully asserted. ***Johnson v. Manhattan Railway Co.,*** 289 U.S. 479 (1933) It is intended to prevent exercise of powers that are not conferred by law, and is not ordinarily available to regulate the manner of regulating such power.

Police powers are defined as "the right of eminent domain of a state or political sub division to enact laws for the common good and welfare".

Blacks Law Dictionary…Police Powers: An authority conferred by the American Constitutional system in the 10th Amendment, U. SD. Constitution. Upon the individual states and in turn delegated to the local governments through which they are enabled to establish a special department of police. Such laws and regulations as tend to prevent the commission of fraud and/or crime, and secure generally the comfort, safety, morals, health and prosperity of its citizens by preserving the public order and preventing a conflict of rights in the common intercourse of the citizens, and insuring to each an uninterrupted enjoyment of all the privileges conferred upon him or her by the general laws; the constitution.

The power of the state to place restraints on personal freedoms and property rights of persons for the protection of the public safety, health and morals, or to promote the public convenience and general propriety. The police power is subject to limitations of the federal and state constitutions, and especially to the requirements of due process. "Police power is the exercise of the sovereign right of the government to promote order, safety, security, health, morals and general welfare *within constitutional limitations* is an essential attribute." ***Marshall v Kansas City, Mo.*** 35 sw 2nd, p 877. See 10th Amendment.

Now when you see the 10th Amendment, "the burdens placed on the national government as a result of states' regulation of their internal affairs save, as congress may act to remove them constitute normal incidents of operation within the same territory of a dual system of government. And no immunity of national government from such burden is to be implied from the constitution. ***Penn Dairies, Inc. v. Milk Control Commission***, 318 U.S. 261 (1943).

"The people of the Unites States residing within any state are subject to 2 governments: one state and the other national…But there need be no conflict between the two, because the powers which

one possesses the other does not. ***United States v. Cruikshank*** 92 US 542 (1876)…A very important case.

"Within the area of delegated powers, expressed or implied, this amendment does not reduce the powers of the United States"…***U.S. v Manning*** 215 fed sup, p 272. "The federal union has only those powers expressly conferred on it, and those reasonably implied from powers granted, while each state has all governmental powers except such as the people by the constitution have conferred to the United States. Denied to the state or reserved to the people themselves. Anderson v Gladden 188 fed sup., 666: "It is when federal legislation attempts to confer power upon the national government that it is not within the expressed or implied powers given by the constitution, that the legislation becomes vulnerable to this amendment."

Now, what are we talking about here? The Brady Bill…That's not within their powers, they have no 10th Amendment powers to take away the 2nd Amendment. Does that make sense to everybody? They don't have any powers to go take away the 2nd or any other of the Amendments.

And the 9th Amendment precluded them from adding onto the constitution in such a way that would take away the powers. So by the 9th and 10th Amendments they're totally locked out from doing a lot of the things they do. But see, you gotta know that and be able to timely exercise it.

So it's very important to understand your 10th Amendment powers.

When in the course of human events it becomes necessary and proper…and this is what we did for Dr. Kevorkian. We made sure his lawyer got this knowledge…We went in there and we dug up a writ of Quo Warranto.

Drug Testing at Work

You read your constitution and you learn your constitution, and you quote your constitution chapter and verse, frontwards, backwards, upside and down. When people come up to you and say "We want you to take a drug test, that's part of your job." You tell them to "Go fish."

I'm not taking a drug test. I'm not required to prove a negative. You're required to prove a positive. If you think I'm doing something negligent fine…You go file papers and you take necessary precautions and what have you, and we will go to court.

But I'm not going to be convicted before the fact and then I gotta provide evidence that I'm not guilty. That's the cart before the horse. That's back ass-wards. I'm not going to do that.

Not only that, the 5th Amendment says that I have the right not to be a participant in a compulsory process that's going to make an incriminating situation for me. Now I have nothing to hide, and I'm not even arguing from what I got to hide…I'm arguing from the fact that the right stands and I'm exercising it.

Then I usually ask some simple questions. "Well, if they find anything will I get fired?

"Well, hell yes…You're going to be penalized."

So there are penalties. And if they find anything will I be criminally prosecuted?

Could be.

So why would you want to do some damn stupid thing like that?

This guy comes up to me this last convention we had, and they wanted to take a test as to whether I've got any drugs in my system.

I said first of all what's in my system is between me and my doctor, and none of your damn business. I said I don't take drugs and I got nothing to hide, but I'm not going to voluntarily enter into anything…What if your guy screws up and says I have drugs? Now I can't get a job ever? What, are you kidding me? Is this some new hobby you just took up? I'm not going to play that game.

It is not my burden to prove a negative. It is your burden to prove a positive. If you have a just claim for which relief can be granted, you go file your papers and we'll sit down and talk.

But until such time you can go fish. I'm not gonna play, I'm not required to play, and if you fire me for the exercise of my constitutional right, I'm going to tell you about *Miller v. United States*, 230 F 486, at 489 which says "The claim and exercise of a constitutional right shall not be converted into a crime." You're doing that and your punishing me. And if you fire me for it I will sue your sox off and attach everything you own, bank, business, and home.

Pulling City Franchise

A writ of Quo Warranto. Now this doesn't look like much, but let me tell you something. What we're talking about doing here…See, most cities, at least in the state of Michigan, are by public act 230 public acts or public act 287 public acts, and in every one of them there is a rights and powers section…usually it's recorded at 2.2 or 3.1, and it basically says "Subject to the constitution of the United States and the general laws of the state of Michigan, the City of or the township of has rights

and powers too. Then it starts listing the powers: The right to have a police department, the right to have a fire department, the right to have a city hall…and it starts listing all these powers.

The antithesis to the argument is that if they're not in the constitution of the United States and the general laws of the state of Michigan then they don't have any rights and powers.

In other words they are in violation of their corporate charter; their franchise. They promised that they would be within the constitution of the United States and the general laws of the state of Michigan.

Now a lot of people don't understand the power of this argument, so I want to really push this one home. I want you to understand. Whenever these little townships and cities start acting like King Farouke like you don't matter and they don't have to listen to you, this is what I want you to do: You ask them this question: Are you violating my constitutionally protected civil rights by however you claim they are. Because if you are, you have just waived your right to be the city of.

They will laugh at you for a little bit, then you explain to them public act 230 of Public Acts which states the rights and powers section of the constitution of the United States and the general laws of Michigan. You have rights and powers. The antithesis of that is that if you are not going to be within the constitution of the United States and the general laws of the state of Michigan, and you're going to violate my constitutional rights and trample my rights, what we are going to do here is go for a writ of mandamus and Quo Warranto. (That's the legal term).

It is an ancient law that goes way back to England in the ancient times. Basically here is the judgment and the action for it.

You put down here the case. "The case came on regularly for trial before the honorable (_____) on jury trial or non jury, on the date of _____. _____counsel and ____ opposing counsel.

The court heard the testimony and examined the proofs offered by the parties. The court considered itself fully advised on the premise and filed in its findings of fact and conclusions of law, and directed that judgments be entered in accordance with such findings. Which means that they figured out they violated your constitutional rights, they didn't have the right to violate your constitutional rights, and in the hearing you showed they violated your constitutional rights, and the judge figured out they violated you constitutional rights. So now for your prayer for relief we're going to get this Quo Warranto. And that's exactly what happened with Dr Kevorkian.

Notice he was in jail and they were hammering the tail out of him. The next thing you know everything got real quiet. The next thing you know they're letting him go, and they were minding their business. This is how it happened.

It is therefore ordered and adjudged and decreed

Defendant Corporation the city of _____has violated provisions of the act under which it was created, and also has violated provisions of public act 230 Public Acts sec. 2.2 rights and powers section…In other words they didn't uphold the constitution of the United States and the general laws of the state of Michigan. Defendant Corporation the city of ____accordingly has forfeited its charter and has become liable to be dissolved by the abuse of its power. How much money are we talking about here? Nine decimal points plus, wouldn't you think? Now do you think they are going to bother some little doctor when they're looking at shutting down a major city? What do you think is going to happen? Everything is going to get quiet and they are going to let the doctor go. Same thing for you.

Now, Defendant corporation _____ now therefore is dissolved, and the corporate rights and privileges of franchise of defendants are declared forfeited to the people. Defendant corporation _____'s trustees, directors, officials, and other officers, attorneys, and agents are forever restrained and enjoined from exercising any of the franchise corporate rights and/or privileges previously exercised by said defendant city, and from collecting or receiving any debts and/or demands belonging to or held by defendant city, and from paying out or in any manner interfering with transferring or delivering to any person any of the deposits, money, securities, property and affects of the defendant city or held by it.

You name a trustee, which the state would do…probably the state attorney general...after your complaint is filed is appointed receiver of all the property, real and personal, things in action and affects of defendant city corporation held by investment by defendants or in or to which defendant may be in any wise interested or entitled to. Plaintiff…the people of the state of whatever… shall recover of defendant corporation city of ____, the sum of (damages real and personal). They don't like it when you do that…cause you can go a hundred million three times that amount in punitive damages they get a little upset. As costs and dispersements of this action and the receivers is directed to pay the sum out of their pocket to whoever the attorney general stipulated there as an injured party.

You can put down there "the honorable judge so-and-so presiding (date entered), and he signs that, the city is no longer a city. When they violate your constitution, this is one of the most powerful tools that you can use. And when you jam this on you better wear a bullet proof vest to court, cause you're probably going to get shot at by the time you get home…But it's nice to threaten. Just drop one

of them in the mail and tell them If I don't get reasonable cause for my action in the near future, you're going to get one of these in the mail for real.

Here is the summons for **Quo Warranto**. This is for the start of the thing. Summons, form 41.

By the way you can get this from *21 Am Juris* practical forms and practice. Alright, you name the party, you put down who you are…The people of the state of Michigan v, you are summoned to appear before _____ court on such and such a date, to show by what authority you claim to have use and/or enjoy rights and liberty and franchise (namely the corporations city of) set out and complained of in such and such a time summons and further to do and receive all things which the court shall then order concerning you.

This is kinda like pulling their driver's license for drunk driving. Now that's an over simplification, but sometimes these city halls operate like a drunken sailor, and the think they can abuse citizen's rights, and trash them…"You know who I am?" "No, and I don't care…"

You know who I'm…I'm your boss…I'm the people. You're elected to work for me…And I'm trying to be nice. So I'd appreciate it if you'd just…we can just sit down and work this out. But if we can't work this out, I'm gonna sock it to ya, baby. And that's basically how I feel about it.

Now we can get into some of these other things… In the constitution of the state of Michigan…the latest and greatest…the very first thing they talk about…Notice it says section one…"All political power is inherent in the people. Government is instituted for their equal benefit, security and protection. Equal protection in discrimination. "No person shall be denied equal protection under the law. Nor shall any person be denied of the enjoyment of their civil or political rights, or be discriminated against in the exercise thereof because of religion, race, or national origin. The legislature shall implement this section by appropriate legislation. Then they go down through all these…freedom of worship, etc.

This is what we're talking about here folks. You know your rights…You got 'em…You don't know 'em…You don't got 'em.

Get back into police powers generally. This is something you gotta understand. Generally the police power is the exercise of the sovereign right of the government to promote order, safety and health and morals, and the general welfare of the society within constitutional limits.

Generally the police powers is the exercise of the sovereign of the government to promote order, safety, health and morals and the general welfare of the society within constitutional limits. As otherwise stated the police power of the state is a power or organization of a system of regulations to

foster the health, order, and comfort of the people, and to prevent and/or punish injuries and offences to the public. But it has to be within constitutional limitations, and it embraces all the rules for the protection of life, liberty, and property.

Traffic Stops

So, it's up to you and it's up to me. We have to get ahold of our constitution, and you start learning that constitution, quote it chapter and verse, and guess what…You'll notice a unique different change. One, after a while, they start to listen. Any you actually affect positive change, and everytime they see you they "Oh, for Alohim's sake don't give that guy a ticket."

I've actually been pulled over with no plates on my car, and a friend of mine recorded this off the police radio: "Do you have positive I.D. on the guy?" He said "Yeah, it's him." They said "Don't give that guy a ticket."

"But Sarge, he doesn't have any plates on his car."

"I don't give a damn what he has, don't give that guy a ticket."

"But Sarge, he told me he has just been waiting to fight it and beat it all the way to the supreme court, and I wrote that on the ticket."

"You gave that guy a ticket? I just told you not to give that guy a ticket. What are you…Deaf?...You got some problem with your hearing?"

"But he didn't have plates on his car."

The Sarge said "Fine, you gave him a ticket? Fine. Tomorrow at 9 o'clock I want you to be here when the city attorney comes in and you're going to personally deliver the ticket to him, and he ain't going to like it. He ain't gonna be real happy with you. He hates that guy.

Every time he goes to court that guy blows his doors off. He looks like a fool.

So we go to court. I come up before the court, and the judge starts acting like a prosecutor. He starts asking me all kinds of discovery questions. Now, this is very important. If you're going to be your own attorney, you have to know the program.

When you hear him call your case you get off your tail feather and you run right up there as quickly as you can without knocking anybody down and you say "Ready your honor"

You state your appearance…" I'm so and so, here before this honorable court. I'm standing as

my own counsel, I've appointed myself my own attorney and I'm ready to proceed with my administrative and procedural matters, and at this time your honor may it please the court I motion for dismissal with prejudice for failure to state a cause of action for which relief can be granted.

The judge bips off right away "Well, you got a ticket on such and such a …"

I said "

Whoa, your honor, are you the disinterested third party that's going to try this case. The tryer of fact?

He said "Yes."

I said "Is this the prosecutor over here to my right?"

He said "Yeah, that's him."

I said "OK, are you going to prosecute this case your honor?"

He said "No, I'm the judge."

I said "Then why are you asking discovery questions? Isn't that his job…Isn't that what he's supposed to do? He's supposed to present his case as the prosecutor…tryer of the case. You're the tryer of fact, and he's the tryer of the case. If you're going to act as the judge and the prosecutor of the case, I'm going to object…on the record. ..as a mistrial…as an appealable issue."

"OK it's on the record. Now let me ask you this: did you get a ticket on Sept 30th?

I said "Yes sir."

"Do you have any plates on your car?"

"No, and I don't intend to."

He said "I assume you have a very good reason for that."

I said "Yes sir", and I shut up.

I waited…

He said "Can I hear it?"

"Well, your honor, I'm an unenfranchised common law freeman. I'm not a participant in any tontine schemes and limited liability on a joint venture for profit with an insurable interest requiring me to participate in these corporate ponzi schemes. I'm just a little Joe from Kokomo. I live on the block…I travel at the common law.

I have a right to travel freely and unencumbered pursuant ***to Shapiro v Thompson***, and that right is so basic it doesn't even need to be mentioned.

The state of California arbitrarily and erroneously converted my right into a privilege and issued a license plate and a fee for it.

Murdock v Pennsylvania says no state may convert a secured right into a privilege and issue a license and a fee for it. AND IF THEY DO…***Shuttlesworth V Birmingham Alabama*** says I can ignore the license and engage in the right with impunity. That means you can't punish me.

Since I've relied on previous decisions of the U S Supreme Court and on constitutional defenses I have a perfect defense for willfulness…I am immune to the prosecution, therefore the prosecution does not have a cause of action for which relief can be granted.

I motion for dismissal with prejudice for failure to state a claim of action for which relief can be granted, and I would like to collect my costs and fees for having to defend this frivolous case."

The judge laughed and said "Motion granted" and he left the bench.

So I'm telling you that you can effect change. Knowledge is power. You know your constitution and you will have that power.

An unconstitutional act, wrongfully done, is till wrong and unconstitutional. The reality Is that the person that's properly motivated. Properly willing and properly trained to do whatever is necessary and proper to defend the constitution will almost always prevail on the merits. The reality is that the burden is on you. You want your constitution then you damn well better grab a hold of it and you better hold on tight and don't let go for nuthin'.

Now I want to get into some of these other subjects. Traffic cases…This is the most practical way to deal with these traffic cases.

When you are pulled over what is happening? Now you have a policeman and he's conducting discovery. Anything you say can and will be held against you, and if you don't think so, just keep rattling. And it will all get written down on the ticket. I found that out, and told the officer I've just been waiting to get this ticket so I can fight it all the way to the Supreme Court. I wrote that word for word right on the ticket. When these people are with you, you keep your hatch buttoned. If you say anything it's "yes sir, no sir, what can I do for you sir."

They always like to say something like "Going a little fast, were we?"

I say "I neither admit nor deny and I leave you to your proofs in court."

"Oh, a lawyer?"

No, I'm not a lawyer, I'm smart enough to know to keep my mouth shut, 'cause I realize that anything I say is gonna be put down on your paper.

If you have a charge you make it and I'll see you in court.

"Oh…You want to go to court?"

Oh, yeah, I always go to court. I fight everything like murder one. It's kinda like hobby of mine.

"Well…Let's see what we get." And they walk back to the car and they start writing…or they usually come back and say "Well, you were going a little fast, think about slowing down…We're going to let you off with a warning…You have a good day.

Always be courteous. I can blow their doors off any time I want. But still "yes sir, no sir".

Courtesy pays. You treat people the way you want to be treated and nine times out of ten you will benefit.

You treat people like a yahoo and you're going to be treated like a yahoo yourself.

So I highly recommend courtesy as an effective way.

I had a policeman one time tell me "You ever eat a flashlight…the hard way?"

I looked at him and I said "Quite frankly officer, most of the officers I've run into are extremely professional, and I treat them with a great deal of courtesy and professionalism, 'cause I respect what they're doing…that they risk their life every day. And at no time would I give an officer enough static that he would want to make me eat a flashlight…I mean I treat them very cordially.

And I respect what they're trying to do. I don't agree with everything they're trying to do, 'cause some of the stuff is kinda unlawful. But I will give them the courtesy they have coming.

He turned to me and said "I'm sorry…I've got a big mouth. I didn't mean it…You're right. I was out of line"

See, you treat people with courtesy, and nine times out of ten you can even back down some guy that's talking a lot of manure.

But the louder you talk, the more belligerent you are, the louder and more belligerent hey will become. Remember…The best weapon you have is between your ears…So use it!

Now we've gone past that and you have a ticket. Now what do you do?

Wow…Look on the ticket. See if he signed it. A lot of times they don't sign it. Guess what…If he didn't sign it, there ain't no sworn complaint. How can you defend against a non-sworn complaint? A lot of times a cop doesn't sign the ticket. Look…Open your eyes…Hey, this guy didn't sign it today. It says under penalty of perjury I attest and certify this is a true in fact complaint.

Well what happens if they don't sign it? It ain't a complaint.

Now the next thing you have to do is notify the court within the time period which is usually 10 days. One of their dirtiest tricks is you call in and you think you got it noticed and guess what? They claim you didn't call in. And they go ahead and say that you didn't show up. Then they find you guilty and bingo…You're out of there.

So I recommend that you call them, tell them that you want a formal hearing, ask the name of the party you are speaking to, so that you have a name of somebody who works there who you talked to, to verify that you called. Then immediately or sooner type up a little notice that says "I, _____, do hereby request a formal hearing" and send it to them certified mail or run down there, walk right in and get them to set up a hearing. You want a formal hearing.

5 days before that hearing you're required to serve your papers on opposing counsel. If you don't do it in a timely fashion you will not be able to enter your briefs. Sometimes you can get away with it the last minute by handing it to them and they won't say anything, but if they want to hammer you they can use the 5 day court rule. I have used it effectively several times.

Now, look at what it says on the complaint. See what they say you violated and you go down to the local law library and you look up exactly what they say and then you enter a defense.

"I neither admit nor deny and I leave you to your strictest proofs in a competent court of law of original jurisdiction."

But before we go there, you need to choose exactly how you want to proceed. If you want to be the hardest hard nose you can, you don't file any papers at all. And as soon as you call the case you go to the front as quickly as possible and you say in a loud and clear voice "Ready your honor".

You give your full name and say "I'm appearing in court in *propria persona* which means in your own proper person. I've appointed myself my own attorney and I'm ready to proceed with my administrative and procedural matters, and at this time your honor may it please the court I motion for dismissal with prejudice for failure to state a cause of action for which relief can be granted."

All of a sudden the cop will go ___, especially if you wear an army jacket and you look like you're 3 sheets in the wind. The cop leaned back and goes "Oh crap, we're gonna get sued…I didn't

know the guy was a lawyer."

Then he starts taking to the prosecutor and the prosecutor will go "Turkey…You brought me one of those, huh?" "I'm gonna get killed…And you're gonna sit here and pay for it, I promise you."

Then what happens is out of your mouth you tell the judge in the most clearest and expedient language "Your honor, may it please the court, is this a court of law or is it a court of equity?"

He will immediately respond with "There's no equity here" just like he got hit in the knee with a hammer, and his leg jumped. And just that fast it'll happen. Because he thinks there's no lawsuit here and therefore there's no equity. The judges don't even understand what happened with this shift from 1962 when they moved these courts together, so you have to find out what hat the judge is wearing. Is he wearing a criminal hat or a civil hat? You have a right to ask.

You quickly say "Judge is this a court of equity or a court of law?"

We just did this in a beautiful case. This little gal…she couldn't have been 80 pounds soakin' wet. The cop was about 6'2", about 320, big heavy duty state trooper.

She walks in "Your honor, I am representing myself as my own counsel. I would like to proceed with my administrative and procedural matters, but before we go, I have a declaratory ruling, sir. Could I ask you a question?"

"Oh, sure honey…go ahead. But you understand only a fool stands as his own attorney".

"That may be. Sir, but I'm the best person that knows the facts of my case and I think I have a chance I'd like to try, is that OK?"

"No problem…You have that right."

She asked "Is this a court of equity or a court of law?"

The judge immediately "There's no equity here."

She said "Thank you sir." She rolled up her hand and in her hand was a ticket that said civil infraction and she said "How may we hear this civil infraction sir?"

The judge did a Homer Simpson. He goes "Hup…So that's where you're going with this, huh…"

The whole court broke out laughing. They realized that the judge did a Homer Simpson.

Then the judge realized he did a Homer Simpson and he started laughing.

He goes “Awww, you’re not going to pull that here today, are you?”

She thought for a minute and said “Yes I am, sir.”

And everybody started laughing again.

The cop then goes “Well, if they are going to play around like this I’m going to put 15 over on the ticket, judge.”

The judge say “No, you’ve got what’s on the ticket, and you’re not changing the ticket after the fact. If it was 15 over you should have written 15 over.”

The cop said “Well I just don’t want to screw around; this is getting out of hand. She was guilty your honor.”

She goes “Your honor, we haven’t even got to that, your honor. There’s no jurisdiction. This is where we’re at. We’re at no jurisdiction.”

The judge says “Alright, are we going to go through with this. Tell me the truth.”

“Yes I am, sir, I’m going all the way, all the way to the Supreme Court.” She said.

The judge goes “OK, now, We’re going to have to set a hearing..”

She says “And I’d like a formal hearing too, sir. And a trial by jury, sir, because the value in controversy is in excess of $20 and pursuant to the 7th Amendment I have a right to trail by jury.”

He said “OK, We’ll send you notice.”

It’s been 3 ½ weeks and no notice. We call them every day and they won’t even talk about this case. The only reason they said that was so all the poor little people in the courtroom didn’t get the idea that they could get up there and do the same thing this little gal did.

They’re not going to call her back ‘cause they got no jurisdiction. They’re not going to try that case because she’s going to blow their doors off.

Now that’s one of the most beautiful tact’s, and the fastest. The last time I did it I was before a particularly obnoxious judge, and he basically said to me “How many times have you pulled this?”

I said “About a dozen, your honor.”

“Oh, going for lucky 13, huh? This is very clever, but I’m going to give you some advice young man…Don’t ever get caught doing nothing in my town again…Got me?”

I said “Sir, I never try to do anything. I always try to be a gentleman”

He said "Well you better not get caught doing nothing…'Cause I will hammer your tail."

I said "Does that mean the case is dismissed your honor?"

He says "it's dismissed…You're out of here."

I'm telling you this works, and it works real well.

Is Judge Licensed?

Now the next effective step that you can do is you can turn around and ask the judge if he is a licensed attorney to practice law. Why? Because none of the judges are licensed…Take my word for it. The Michigan constitution says under the ajudicary act that they are required by law to have a license…That they are required to be licensed by the state of Michigan.

The state of Michigan does not license attorneys…The BAR association licenses them…They give them a number and a card that says "yeah, you're a member of the BAR association. But if you call up the BAR association they will tell you they don't give anybody a license. The state of Michigan doesn't give them a license, the BAR association doesn't give them a license, so what license could they be talking about? A Mickey Mouse license? 'Cause that's the only one left.

The state doesn't issue one, the BAR doesn't issue one, and the one they have hanging on the wall is not a license from the state of Michigan, and the constitution of the state of Michigan says all judges will be licensed to practice law before state. You ask him "Where's the guy's license?" 'Cause he doesn't have one.

"Your honor, may it please the court, since you don't have a license I'm asking you to recuse yourself until we can get a judge that has a license."

Now a little lady name of Virginia Croppie is the one that perfected this one. She's a genius at it, she's a little Spitfire if you ever watch her in court you're actually going to see a treat, because she is something' else. She's got character, she graduated a full attorney from Wayne State University, and then she refused to join the BAR because she didn't want to compromise her rights with their political chicanery. She is a full-fledged serious legal business person. To hear her work in court is absolutely like listening to Stratavary work the violin. She walks in and blows their doors off. She's on about 3 judges now for this same thing. She blew the first judge out so they sent in another judge, they moved her over to the other end of town over in Berkley, Michigan. Then she walked in and blew that judge out the door. So then they sent her to another judge so she turned around and went before the state licensing commission, and now they've handed it up to the judicial people of the state to try and

resolve the problem. They're going to have to end up dropping it. The judge doesn't have a license. Now let's suppose the judge could prove he had a license…which he doesn't…"Judge, let me ask you a question: Under your retirement fund, isn't it a fact that you get a certain percentage of the rake off of all the tickets that come before your bench?"

"Well, yeah…"

"And isn't it that for every $40 that comes across your bench you get $18.75"

"Well, yeah…"

"So you have a financial interest in this matter, isn't that correct?"

"Well, yeah…"

"Well isn't that a violation of judicial canon number 7? You're not supposed to have any financial interest in any matter that comes before your court."

"I'm going to ask you to recuse yourself for bias your honor, may it please the court." And every single judge has got it.

Now does everybody understand how many ways you can hammer them right out of the chute without even being nasty?

The judge don't have a license, the judge has a personal interest in the case for financial reasons, there is no jurisdiction to hear the matter, and I'll tell you a secret; once you challenge jurisdiction the burden falls on the plaintiff to prove jurisdiction. And he can't do it. It cannot be done. There isn't any. There is no jurisdiction to hear a traffic ticket in the United States of America.

I know, you're sitting back saying "Oh, come on…They have been getting us for years."

A traffic is a writ of assistance or a bill of attainder. You look in your constitution and you'll find out. Bills of attainder are against the constitution. It's stated at least twice that I know of.

I'm tellin' you you read your constitution. There is no place for a traffic ticket. You cannot have a writ of assistance that has civil equity arguments that transmit into law penalties. They can't throw you in jail for a debt, because that's a debtor's prison, and we have a constitutional argument against that also.

So how do they do it?

Cause they want to…and cause you don't know any better. That's how they do it.

What if they say it's a court of equity?

If they say it's a court of equity and there is equity then you turn to him and say "Thank you, your honor, I appreciate your time, I would like to know who the injured party is and where the contract is. Can you show me the contract?"

There is no contract unless you didn't sign your license UD 1-207 without prejudice. Where is the contract? It's where you sign for that license. So don't sign for that license unless you put ud1-207 w/o prejudice ucc-1-207.

Now, they can't produce the contract, and if they could produce the contract you have exercised your waiver under the contract not to give up your constitutional rights to travel freely and unencumbered, right? And let me ask you this: Can you enter into an unconstitutional contract? Not lawfully. The contract is voidable for not lawful performance. It has to be a lawful contract for you to enter into it.

Alright, now the next thing: who is the injured party? Who got injured? Show me judge. The parking meter out there?

Radar Speeding Defense

Another neat trick I like to do, especially in speeding tickets is I like to confront my accuser. I always like to call the black box that accused me of speeding to the stand, and the judge always gets upset.

I tell him "Well your honor, I've been asking this policeman here for 3 hours how this black box that he's been playing with works. He can't tell me, and we have been through the whole stationary radar manual, and I've asked him every question, and I don't know how he passed his second class radio operator's license, 'cause he don't know how the damn thing works. He doesn't even know how to set the thing up to test the thing in all environments. On top of that he is not the witness. He is nothing but a hearsay witness. His testimony is inadmissible in any court in the land, 'cause you can't have hearsay testimony.

He says "What the hell are you talkin' about?"

I said "He did not actually accuse me…That black box with flashing lights on it and little beepers accused me. If I had a black box in here with little lights on it and making noises and accusing and saying "He didn't speed, he didn't speed, he didn't speed, We know how far that would go, right judge? You'd throw it right out through that window, judge."

But you let this guy bring his idiot box in with flashing lights and beepers on it, and his thing

is by the book and admissible in court. He can't tell me how the thing works, we've been trying for 3 ½ hours to test him to see if he knows how it works, he couldn't pass that test to save his life, and the bottom line is I still don't think the damn thing works, and personally I want to call it to the stand to confront my accuser, under article 1 section 13 paragraph 5 I have the right to confront my accuser, and I'd like to confront my accuser and I'm serving a subpoena, a subpoena duces tecum, which means bring your books and records, too.

He goes "That's pretty clever."

I says "Not only that your honor, He's arguing apples and oranges. I have a speedometer in my car and it might be plus or minus 12 miles per hour on a factory made one, and a handmade one is supposed to be at 6 mph. Mines got a little needle on it that works off a little cable that goes to the transmission and runs off a little gear. It doesn't have 4 decimal places, and it doesn't do space logic and all this other stuff and shoot out a mile ahead and tell me how fast the telephone poles are flyin' by. He's got this handy dandy gadget in his car that's measuring the speed one way, and I've got this one that's measuring speed my way. So how could I be guilty to the extent that his is talkin' about because I don't have one of them in my car? You see the apples and the oranges here judge? It's not really a fair test, is it?

"That's a pretty good argument you have there. I'll tell you what we're gonna do. You've cost my court enough for the day…I'm gonna dismiss the case."

"Fine by me, your honor."

Taxes

First of all, when we look up title 26 USC, (the tax code) we find that this title has not been enacted into positive law.

It is not positive law! How can that be?

I'll tell you how that can be.

Erie Railroad v Tompkins 304 U.S. p. 64: What this case does is it sets up a duality of citizenship. There are the citizens that live at the common law and there are citizens who live at the national law, or what is called admiralty maritime jurisdiction. Now the way they get away with putting this title 26 and 27 out the way they do it is they create this admiralty maritime jurisdiction, and if you volunteer into it, you are in it. If you step in it, it is on you. So I'm tellin' you, don't do that.

Don't volunteer into the system. How do you volunteer? You watch what you sign number one. Any evidence of contracts where you enter into admiralty says that you are a party to the contract. So you avoid that. When you sign that bank draft to get into that bank in that section 9 form you fill out guess what. Look at the bottom. You signed to get into an admiralty maritime jurisdiction. What the hell would you want to do that for? It's illogical. When you signed up for that social security check.

So how are we going to remedy this situation? 1-207 w/o prejudice. You sign anything that has to do with those guys, take the rights if they'll give them to ya, take the benefits, but make sure when you sign it you sign it ud 1-207 w/o prejudice. That makes you a common law citizen, and when they pull you into these courts and they claim they have jurisdiction over you, you say the first thing out of your mouth is you say "Your honor, may it please the court, before this matter goes forward I wish to state that I am here on a special appearance as distinguished from a general appearance. And I am answering in the form of a demur. A demur is an old way of pleading…It's an old fashioned, old country, barrister English way of pleading without granting jurisdiction.

In other words I'll answer out of courtesy and I'll give you and answer out of courtesy, but at no time am I granting jurisdiction. Now I put on my brief I state my name, I state the defendant in propria persona on a special appearance as distinguished from a general appearance, for jurisdictional challenges. Now I've raised the jurisdictional challenges, I'm putting on the record, it's clearly cognizant, Once jurisdiction is raised the burden is on the plaintiff to prove jurisdiction pursuant to ***McNutt v General Motors Acceptance*** *56* S.Ct. 502 "Jurisdiction may never be assumed but must be sustainably proven by the plaintiff claimant." They don't prove it in a timely fashion latches incurs…Motion to dismiss your honor failure to state a cause of action for which relief may be granted, and I'd kinda like to collect my costs and fees for having to defend this frivolous case.

Let's get into the Erie Railroad Case….This is a railroad case. A guy was walking down the track and a board was hanging off the end of the train and whacked him up side of the head. He tried to sue in the state court and the state court hammered him. So what happened was Erie Railroad flipped around and they tried to sue him in the federal court to get back at him, and they thought that they were pulling a fast one, and what happened was the case bounced back on them. And guess what? When it bounced back it created a very, very dangerous thing.

Now before this I want you to understand that for a hundred years of the law this case was the leading case ***McCulloch v. Maryland***, 17 U.S. 316 (1819), this is a very leading case…a very heavy case. This case upheld for 100+ years the single citizenship relationship, and it deals with the

corporation "The power of establishing corporations is not a distinct sovereign power or end of government but only the means of carrying into effect other powers which are sovereign. Whenever it becomes an appropriate means of exercising any of the powers given by the constitution to the government of the union it may be exercised by that government. Now basically it sets up relationships. The bank of the United States has constitutionally a right to establish its branches or offices of discount or deposit in any state. The state within which such branch is established cannot without violating the constitution tax that branch.

This was the law of the land, but it was replaced by ***Erie Railroad v Tompkins.***

"There is no federal general common law; congress has no power to declare substantive rules of common law applicable in a state whether they be local in their nature or general, whether they be commercial law or in part of the law of torts. No clause in the constitution purports to confer such a power upon the federal courts except in the matters governed by the federal constitution or by acts of congress. The law to be applied in any case is the law of the state, and whether the law of the state shall be declared by its legislature in a statute, or by its highest court in a decision, not a matter of federal concern.

In disapproving the doctrine of the ***Swift v Tyson*** 41 U.S. 1 (1842) the court does not hold unconstitutional section 34 of the federal judiciary act of 1789 or any other act of congress. It merely declares that by applying the doctrine of that case rights which are reserved by the constitution to the several states have been invaded. That's how they can get away with having title 26 without having it enacted into positive law. They're claiming it's an act of congress. And if you voluntarily enter into it guess what…You bought the whole farm.

The federal court exercising jurisdiction over such a case on the ground of diversity to be of citizenship…Dual citizenship…Is not free to treat this question as one of so-called general law, but must apply the state law as declared by the highest state court…Swift v Tennyson overruled.

The liability of the railroad company for the injury caused by negligent operation of its train to its pedestrian on a much-used beaten path on its right-of-way…interstate…Along and near the rails depends, in the absence of federal or state statute, upon the unwritten law of the state where the accident occurred. Now what they're trying to do here is trying to justify the existence of this duality of citizenship between the common law citizen, which you are…most of you…and this national citizen, which would fall under title 26 USC. But I'm telling you to look up section 6331(a) of title 26, and you will see that the secretary of the treasury has jurisdiction over corporations, officers of

corporations, and officers of government residing in the District of Columbia, and artificial corporations, who are contractors of the fund.

Arguing Jurisdiction

Now this is an important case, if you are going to be in this seriously battling and want to argue jurisdiction…Which is a very good defense on almost anything they can pull on you, you're gonna have to read these cases: ***Erie Railroad v Tompkins*** 304 U.S. p. 64. It's vital that you understand these arguments. I just finished battling a United State's Attorney and we were arguing and he's talking about "This is all gibberish", and I told him, I said "Sir, I don't think you are well read on law." All you have to do is read several of these cases and they'll tell you that One there is a duality of citizenship, Two it has to be clearly defined and Three I have defined it.

And now I'm asking you to prove that I'm not a party, or prove that I am a party, you tell me. It's your burden…You're the one making the complaint. You make the complaint, you get the burden of proof. Who says so? ***McNutt v General Motors Acceptance Corp***. *56* S.Ct. 502.

You made it…You prove it. And if you don't prove it timely, I motion to dismiss for failure to state a cause of action for which relief can be granted, and I will beat your little tail.

Now if you think this stuff doesn't work, let me tell you something here…today the government came and told me "motion dismissed". The United States of America hereby moves pursuant to federal rules of criminal procedure for leave to dismiss the indictment. They can't argue.

I don't care if we go to court…In fact I like it…'Cause I know who's going to win. And I pray to Alohim that he'll help me do that.

So, if they want to go to court I tell them "Make my day." When I'm in court and the guy tells me "Well…we can get you for income tax evasion, and you might win one, but you won't win them all." I looked at him most calmly and I said "Sir, I'm gonna advise you to go look in those law books real carefully, because I'm gonna tell you straight arrow, I have had occasion to look in them law books, and I'm telling you sir if you bring that complaint against me I'm going to tell you to 'make my day', 'cause I'm a pretty serious fellow, and I'm not going to fool with you. I'll sue your sox off and attach everything you own, bank, business, and home. So the best thing I can tell you sir is that before you make a complaint sir I would highly recommend that you seriously consider the merits of your facts before you go writing a bunch of drivel.

The bottom line is if you know your facts, and you got your stuff together I'm telling you that you can do this stuff.

Now let's talk about procedure. If you're going to go to court and be your own attorney, You have to be sharp. You have to keep records. You go to court you write it down. You get any paperwork, you write it down. You send them anything you write it down. Dates and times are vital.

If you don't take care of your own business…they aren't going to do it for you….You're your own attorney. If you want to be your own attorney ya gotta have records and keep on top of things.

Every time you do something you write it down…And you make sure you can go back and say "Yeah, I remember on such and such date at such and such a time this happened".

You can construct a chronological order of events. Also write down all important numbers of anybody that has anything that has to be done.

Now: Arguments on taxes.

And also we should tell you that if anyone violates your rights, title 42 USC 1983: Every person who under color of statute, ordinance or regulation, customary usage of any state or territory, or the District of Columbia subjects or causes to be subjected any citizen of the United States or other person within the jurisdiction thereof to the depravation of any rights or immunities secured by the constitution or the laws shall be liable to the party injured in an action at law suit in equity or other proper proceeding for the redress. For the purpose of this section any act of congress applicable exclusively to the District of Columbia shall be considered to be a statute of the District of Columbia.

They have created a duality of citizenship under the 14th Amendment. They're claiming there's common law rights…Where everybody gets their constitution, and there's national rights where you waive all your constitutional rights, where you waive your constitutional rights. Now, which do you want? Remember 1-207? Right?

Now, since the constitution of the United States in the supreme law of the land, we.ve got a unique argument here.

Except as to the rule of apportionment the United States has indefinite discretion to make requisitions for men and money (That means they can ask). But they have no authority to raise either by regulations extending to the individual citizens of America. That's why we don't have a title 26 that applies to you. The consequences of this is that though in theory their resolution concerning those objects are lost constitutionally binding on the members of the union, yet in practice they are mere

recommendations which the states observe or disregard at their option. This is the intent of the framers. *Cohen v Virginia* 19 US 264 (1821) says this is the exact intent. They never intended to have an internal revenue, ever. They hated people that operated like that…That operated a tyranny against the people.

Wise politicians will be cautious about fettering the government with restrictions that cannot be observed because they know that every breach of the fundamental laws, though dictated by necessity impairs that sacred reverence which ought to be maintained in the breast of rulers towards the constitution of the country, and forms a precedent for other breaches where the same plea of necessity does not exist at all, or is less urgent and palpable. publius.

And it teaches us in addition to the rest how unequal parchment provisions are to struggle with public necessity.

This constitution and the laws of the United States which shall remain in pursuance thereof and all treaties made thereof shall be made under the authority of the United States shall be the supreme law of the land, and the judges in every state shall be bound thereby. Anything in constitutions and laws in any state to the contrary is notwithstanding. The indiscreet zeal of the adversaries to the constitution has betrayed them into an attack on this part of it as also as without which it would have been evidently and radically defective. To be fully sensible of this we need only suppose for a moment that the supremacy of the state's constitution had been left complete with a saving clause in their favor. In the first place, as these constitutions invest the state legislature with absolute sovereignty in all cases not accepted but existing articles of confederation. All the authorities contained in the proposed constitution so far as they exceed those enumerated on the federation would have been annulled. And the new congress would have been reduced to the same impotent condition with their predecessors.

USC Title 31 section 742 "Except as otherwise provided by law all stocks, bonds treasury notes and other obligations of the United States Government shall be exempt from the state, local, and municipal authority. This exemption extends to every form of taxation that would require that either the obligations or the interest thereon or both be considered directly or indirectly in the computation of the tax." See *Memphis Bank & Trust Cs. V Garner, 459 U.S.* 392 (1983) What this case is, is a Supreme Court case that says that Title 31 USC section 742 is the supreme law of the land. And it does so on a diversity of tax arguments based on discriminatory franchise of bond holdings. Basically what the Supreme Court war title 31 section 742 was the supreme law of the land. And recorded in here is exactly what I just quoted to you "Except as otherwise provided by law all stocks, bonds

treasury notes and other obligations of the United States Government shall be exempt from the state, local, and municipal authority.' Now what does this mean? "This exemption extends to every form of taxation that would require that either the obligations or the interest thereon or both be considered directly or indirectly in the computation of the tax."

This is a unique tax argument. See, when the states went off the Article 1 section 10 gold and silver standard, you can't pay anyway because of Michigan compile laws act 21.153 you can't tender anything but gold or silver to an officer of the government without being a party to a felony. On top of that how do they figure the taxes? Let's look at our property taxes…This is a big issue. A lot of people get involved with this property tax. They're tired of being taxed right out of their home. This tax argument is specifically for you.

They come to your house and they set a value on your house, they tell you that your house is worth $100,000, so we're going to tax it at a 50% interest, so it would be $50,000 that's a 50% amortization value, we'll figure your house has a $50,000 value bracket area, and we're going to go 7 points on that, so that's 7%...

Now…Stop for a second. How did they figure the value on your house? Well, they said $50,000. There are no dollars…What dollars? You ain't got no dollars. Dollars of what?

The bottom line is they're talking about Federal Reserve notes. And they're putting the commodity item at the reserve notes. Now what did they just do?

"Except as otherwise provided by law all stocks, bonds treasury notes…*What is a Federal Reserve note? It's a Treasury Note*… and other obligations of the United States…*What obligations? Title 12 Section 411 says "Said note shall be deemed to be obligations of the United States Government…Whoops.* Now wait a minute…Let's look at this again: "Except as otherwise provided by law all stocks, bonds treasury notes and other obligations of the United States Government shall be exempt from taxation. By or under state, municipal or local authority. Does that mean they can't figure a tax by using obligations of the United States Government? You're right, you're absolutely right.

"This exemption extends to every form of taxation that would require either the obligations, or the interest thereon, or both be considered directly or indirectly in the computation of the tax.

Now, what are they doing when the figure this 50% amortization of value and then they add so many points…percent, and they tack that on and then they say "well you owe us this much."

Aren't they using Federal Reserve notes indirectly? They are, aren't they? And they're forbidden from doing that. The Supreme Court says this is the supreme law of the land.

Guess what, folks? This case was originally brought in the matter of People v Shepherd out of Lansing, and after that case they went in all the law books and they pulled out title 31, section 742…That's how scared they are of this title.

We went to Sheppard's Citations and we noted that in Sheppard's Citations there was no note that said "annulled, repealed, or otherwise transferred to some other law." There's a hole there, folks, that starts at Title 31 section 734, and then there is a hole and then it goes to 752.

What happened here? They went into all the law books and pulled this argument out. Why do you think they did that? Because every state in the union that went off the gold and silver standard under Article 1 Section 10 was locked out of taxing the citizenry in any capacity, by the use of obligations of the United States Government, and that's the only thing you have in your hand, folks.

So, rather than play that game they went into all the law books and pulled it out. Then they went into Sheppard's Citations and instead of putting a note down there as to what happened, they just created a void. What is that evidence of? FRAUD.

And does not fraud void the contract? Last time I checked it did. Now I want you to pay attention to this stuff and get locked in on this argument…Don't try this until you have at least practiced a little bit…But anybody that's getting jammed on their property taxes and any other taxes for the state, lock their heels is all I got to say.

Now, one last argument in income taxes…And I'm not advising you as your attorney…I'm telling you what I have found as a scholar.

In the law books, I have found these arguments and if you want to use them that's your free choice, 'cause in America last time I checked you have the right under the constitution.

We've argued this before the Supreme Court and it cannot be argued against…It's pretty strong.

Now, since the constitution of the United States is the supreme law of the land, we have a unique argument here. It says in Article 1 Section 9 paragraph 4, most clearly, "No capitation or other direct tax shall be laid *unless in Proportion to the Census or* Enumeration *herein before directed to be taken*...That's Article 1 section 2 clause 2 which says income taxes and representations shall be by apportionment. Representatives and taxes shall be by apportionment among the several states which may be included within the union according to their respective numbers which shall be determined by adding the whole number.

*Article 1 section 9 clause 4 "*No Capitation, or other direct, Tax shall be laid, unless in

Proportion to the Census or Enumeration herein before directed to be taken."

Well, folks, they're not using the census, and they're not using the apportionment rule at all…They're evading it totally. Now, there are several arguments here, and it's very catchy, so I want you to pay close attention.

One of the arguments I want to share with you is brought by an infamous outstanding judge, Judge Beers. He's the gentlemen who actually lived the book "Cheaper by the Dozen". He had 2 wives and twelve children by each.

Judge Beeres got mad and he called up Jimmy Carter and he told him "look, we need to have a raise for our judges because we're not keeping up with inflation, etc."

Jimmy told him "No way, Jose.' So Judge Beers filed in court a case called ***Evans v Gore*** 253 US 245. Judge Evans sued I. R. Gore of the IRS because he claimed that the IRS diminished his salary during his continuance in office. We all know that judges in the Supreme Court and inferior courts shall hold their office during good behavior, and shall receive for their services as a valuable compensation which shall not be diminished during their continuance in office…That's Article 3 paragraph 1. The judicial power of the United States shall be vested in the Supreme Court and such inferior courts may from time to time establish the judges both of the Supreme Court and inferior courts shall hold their office during good behavior, and shall receive at stated times for their services a compensation which shall not be diminished during their continuance in office.

Well guess what your honor…They diminished my salary during my continuance in office. You'll notice there was no diminishment specified, so all diminishment is forbidden…And since all diminishment is forbidden, I am constitutionally immune from your income taxes.

The Supreme Court came back and said "Excellent argument, the 16th amendment didn't create any new taxing power whatsoever, and clearly Judge Evans is immune from income taxes. It's based on the Article 3 paragraph 1, constitutional immunity.

So the up jumped the devil in the deep blue sea…Jimmy Carter was most unhappy, so he had to give the judges all a raise to shut them up. And he took his wrath out on Judge Beers and went and published the fact that Judge Beers was a bigamist and kinda trashed him and got him disbarred and thrown off the bench. Which I don't think was a very nice thing to do at all…'Cause Judge Beers was a good judge.

Now, how does this affect you? Basically this case ***Evans v Gore*** makes 2 basic statements. One: the 16th Amendment didn't create any new taxing power, and Two: There was an acceptable,

possible immunity…To the income tax.

Whoa I said…Let's go back to Article 1 section 9 paragraph 4: "No capitation or other direct tax shall be laid *unless in Proportion to the Census or Enumeration herein before directed to be taken."*

Didn't I have a right to be free from a direct tax on my property? A direct tax is one where I come in your pocket and I tax it. I had a right to be free from a direct tax on my property unless by the rule of apportionment is herein before directed to be taken in Article 1 section 2 clause 2. Does that mean I'm constitutionally immune? It sure does. But you have to tell them, and demand that it is a direct tax. You have to say it's a direct tax on my property.

And what are they gonna do? They're going to come around and tell "This isn't under Title 26, this is under Title 27…And that really you're a coal miner, You're a miner of some kind, You're manufacturing handguns someplace…

So you ask them "OK Let's see the form 4456." They will send you the form 4456, and sure enough they're gonna have you down as under some kind of excise tax, where they're charging you under some BATF for having some fraudulent claim that you're involved in mining or something that requires an excise tax, and for the privilege of doing business you have to pay a fee, because you're a corporation, an officer of a corporation, or you reside in the District of Columbia.

Now let's ask…That's section 6331 (a) of the code. Look up section 6331 (a)…Those are the only guys that the department can levy against. That's the only ones. Are you any of those? NO. How could that be? If you're not any of those they can't levy against you, and if they can't levy against you there's no jurisdiction over you. Got me?

If they could levy against you they would have jurisdiction…But if the levy against you and you pay them, you have just given them jurisdiction. You sign your documents; if you don't put down there UD 1-207 w/o prejudice, guess what? You're in.

Isn't that fraud? And doesn't fraud void the contract? You need to read, folks. You need to get one of these books and read it cover to cover. And you need to be able to rattle it off backwards and forwards upside and down. And you need to kick some tail and try to coordinate this program.

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Evans v Gore 253 US 245

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Rights Come From Fl

Not The State!

"You have rights that antecedent to all earthly governments; rights that cannot be repealed or retrained by human laws; rights derived from the Great Legislator of the Universe."

John Adams, Second President of the United States

Free People Do Not Owe Income Tax On Wages

Quotes From Court Cases

"It becomes essential to distinguish between what is and is not income". Income is not derived by providing a service and charging for it". "Income means grain (profit)". "Compensation for labor is not profit". "Congress has taxed income, not compensation.".

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Citizens
Rule Book
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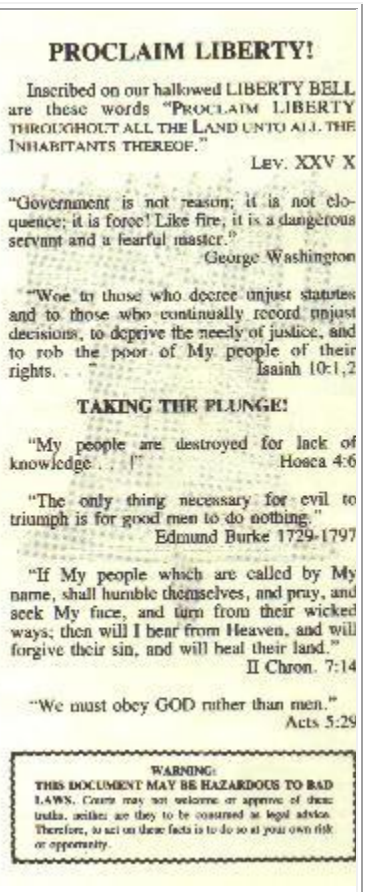

PROCLAIM LIBERTY!

Inscribed on our hallowed LIBERTY BELL are these words "PROCLAIM LIBERTY THROUGHOUT ALL THE LAND UNTO ALL THE INHABITANTS THEREOF."
Lev. XXV X

"Government is not reason; it is not eloquence; it is force! Like fire, it is a dangerous servant and a fearful master."
George Washington

"Woe to those who decree unjust statutes and to those who continually record unjust decisions, to deprive the needy of justice, and to rob the poor of My people of their rights. . ."
Isaiah 10:1,2

TAKING THE PLUNGE!

"My people are destroyed for lack of knowledge . . ."
Hosea 4:6

"The only thing necessary for evil to triumph is for good men to do nothing."
Edmund Burke 1729-1797

"If My people which are called by My name, shall humble themselves, and pray, and seek My face, and turn from their wicked ways; then will I hear from Heaven, and will forgive their sin, and will heal their land."
II Chron. 7:14

"We must obey GOD rather than men."
Acts 5:29

WARNING:
THIS DOCUMENT MAY BE HAZARDOUS TO BAD LAWS. Courts may not welcome or approve of these truths, neither are they to be construed as legal advice. Therefore, to act on these facts is to do so at your own risk or opportunity.

Are You Free???

WE MUST JOIN TOGETHER and STOP PAYING INCOME TAXES WE DO NOT OWE.

Force congress to give us HONEST MONEY and will end INFLATION, INCOME and ILLEGAL TAXES, THEN OUR COUNTRY WILL BOOM.

Inside The *Citizens* Rule Book

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Section I
Handbook For Jurors

Jury Duty!

The purpose of this information if to revive, as Jefferson put it, "The Ancient Principles." It is not designed to promote lawlessness or a return to the jungle. The "Ancient Principle" refer to the Ten Commandments and the Common Law. The Common Law is, in simple terms, just plain common sense and has its roots in the Ten Commandments.

In 1776 we came out of BONDAGE with FAITH, UNDERSTANDING and COURAGE. Even against great odds, and with much bloodshed, we battled our way to achieve LIBERTY. LIBERTY is that delicate area between the force of government and FREEWILL of man. LIBERTY brings FREEDOM of choice to work, to trade, to go and live wherever one wishes; it leads to ABUNDANCE. ABUNDANCE, if made an end in itself, will result in COMPLACENCY which leads to APATHY. APATHY is the "let George do it" philosophy. This always brings DEPENDENCY. For a period of time, dependents are often not aware they are dependent. They delude themselves by thinking they are still free - "We never had it so good." - "We can still vote, can 't we?" Eventually abudance diminishes and DEPENDENCY becomes known by its true nature: BONDANGE!!!

There are few ways out of bondage. Bloodshed and war aften result, but our founding fathers learned of a better way. Realizing that a CREATOR is always above and greater than that which He creates, they established a three vote system by which an informed citizenry can control those acting in the name of govenment. To be a good master you must always remember the true "pecking order" or chain of command in this nation:

1. Alohim created man...2. Man (that's you) created the Constitution 3. The Constitution created

government...4. Government created corporations...etc.

The base of power was to remain in WE THE PEOPLE but unfortunately, it was lost to those leaders acting in the name of government, such as politicians, bureaucrats, judges, lawyers, etc.

As a result America began to function like a democracy instead of a REPUBLIC. A democracy is dangerous because it is a one-vote system as opposed to a Republic, which is a three-vote system. Three votes to check tyranny, not just one. American citizens have not been informed of their other two votes.

Our first vote is at the polls on election day when we pick those who are to represent us in the seats of government. But what can be done if those elected officials just don't perform as promised or expected? Well, the second two votes are the most effective means by which the common people of any nation on earth have ever had in controlling those appointed to serve them in government.

The second vote comes when you serve on a Grand Jury. Before anyone can be brought to trial for a capital or infamous crime by those acting in the name of government, permission must be obtained from people serving on the Grand Jury! The Minneapolis Star and Tribune in the March 27th 1987 edition noted a purpose of the Grand Jury this way: "A grand jury's purpose is to protect the public from an overzealous prosecutor."

The third is the most powerful vote; this is when you are acting as a jury member during a courtroom trial. At this point, "the buck stops" with you! It is in this setting that each JUROR has MORE POWER than the President, all of Congress, and all of the judges combined! Congress can legislate (make law), the President or some other bureaucrat can make an order or issue regulations, and judges may instruct or make a decision, but no JUROR can ever be punished for voting "Not Guilty!" Any JUROR can, with impunity, choose to disregard the instructions of any judge or attorney in rendering his vote. If only one JUROR should vote "Not Guilty" for any reason, there is no conviction and no punishment at the end of the trial. Thus, those acting in the name of government must come before the common man to get permission to enforce a law.

YOU ARE ABOVE THE LAW!

As a JUROR in a trial setting, when it comes to your individual vote of innocent or guilty, you truly are answerable only to El ALMIGHTY. The First Amendment to the Constitution was born out of this great concept. However, judges of today refuse to inform JURORS of their RIGHTS. The Minneapolis Star and Tribune in a news paper article appearing in its November 30th 1984 edition, entitled: "What judges don't tell the juries" stated:

"At the time of the adoption of the Constitution, the jury's role as defense against political oppression was unquestioned in American jurisprudence. This nation survived until the 1850's when prosecutions under the Fugitive Slave Act were largely unsuccessful because juries refused to convict."

"Then judges began to erode the institution of free juries, leading to the absurd compromise that

is the current state of the law. While our courts uniformly state juries have the power to return a verdict of not guilty whatever the facts, they routinely tell the jurors the opposite."

"Further, the courts will not allow the defendants or their counsel to inform the jurors of their true power. A lawyer who made...Hamilton's argument would face professional discipline and charges of contempt of court."

"By what logic should juries have the power to acquit a defendant but no right to know about the power? The court decisions that have suppressed the notion of jury nullification cannot resove this paradox."

"More than logic has suffered. As originally conceived, juries were to be a kind of safety valve, a way to soften the bureaucratic rigidity of the judicial system by introducing the common sense of the community. If they are to function effectively as the 'conscience of the community,' jurors must be told that they have the power and the right to say no to a prosecution in order to achieve a greater good. To cut jurors off from this information is to undermine one of our most important institutions."

"Perhaps the community should educate itself. Then citizens called for jury duty could teach the judge a needed lesson in civics."

This information is designed to bring to your attention one important way our nation's founders provided to insure that you, (not the growing army of politicians, judges, lawyers, and bureaucrats, rule this nation. It will focus on the true power you possess as a JUROR, how you got it, why you have it, and remind you of the basis on which you must decide not only the facts placed in evidence but also the validity or application of every law, rule, regulation, ordinance, or instruction given by any man seated as a judge or attorney when you serve as a JUROR.

One JUROR can stop tyranny with a "NOT GUILTY VOTE!" He can nullify bad law in any case, by "HANGING THE JURY!"

I am only one, but I am one. I cannot do everything, but I can do something. What I can do, I should do and, with the help of Alohim I will do!
Everett Hale

The only power the judge has over the JURY is their ignorance!

"WE THE PEOPLE," must relearn a desperately needed lesson in civics.

The truth of this question has been answered by many testimonies and historical events. Consider the following:

JURY RIGHTS

"The jury has a right to judge both the law as well as the fact in controversy."
John Jay, 1st Chief Justice

United States supreme Court, 1789

"The jury has the right to determine both the law and the facts."
Samuel Chase, U.S. supreme Court Justice,
1796, Signer of the unanimous Declaration

"the jury has the power to bring a verdict in the teeth of both law and fact."
Oliver Wendell Holmes,
U.S. supreme Court Justice, 1902

"The law itself is on trial quite as much as the cause which is to be decided."
Harlan F. Stone, 12th Chief Justice
U.S. supreme Court, 1941

"The pages of history shine on instance of the jury's exercise of its prerogative to disregard instructions of the judge..."
U.S.vs Dougherty, 473 F 2nd 113, 1139, (1972)

LAW OF THE LAND

The general misconception is that any statute passed by legislators bearing the appearance of law constitutes the law of the land. The U.S. Constitution is the supreme law of the land, and any statute, to be valid, must be in agreement. It is impossible for a law which violates the Constitution to be valid. This is succintly stated as follows:

"All laws which are repugnant to the Constitution are null and void. "
Marbury vs Madison, 5 US 137, 174, 176, (1803)

"Where rights secured by the Constitution are involved, there can be no rule making or legislation which would abrogate them quot;
Miranda vs Arizona, 384 US 436 p. 491.

"An unconstitutional act is not law; it confers no right; it imposes no duties; affords no protection; it creates no office; it is in legal contemplation, as inoperative as though it had never been passed."
Norton vs Shelby County118 US 425 p.442

"The general rule is that an unconstitutional statute, though having the form and the name of law, in in reality no law, but is wholly void, and ineffective for any purpose; since unconstitutionality dates from the time of its enactment, and not merely from the date of the decision so branding it.

No one is bound to obey an unconstitutional law and no courts are bound to enforce it."
16th American Jurisprudence 2d, Section 177
late 2nd, Section 256

A SUMMARY OF

THE TEN COMMANDMENTS

The TEN COMMANDMENTS represent EL'S GOVERNMENT OVER MAN! El commands us for our own good to give up wrongs and not rights! HIS system always results in LIBERTY and FREEDOM! The Constitution and the Bill of Rights are built on this foundation,which provides for punitive justice. It is not until one damages another's person or property that he can be punished. The Marxist system leads to bondage and ALOHIM'S system leads to LIBERTY! Read very carefully:
1. Thou Shalt have no other mighty-ones before Me.
2. Thou shalt not make unto thee any graven image.
3. Thou shalt not take the name of Yahuah thy Alohim in vain.
4. Remember the Sabbath to keep it Set-apart.
5. Honor thy father and mother. 6. Thou shalt not murder.
7. Thou shalt not commit adultery
8. Thou shalt not steal.
9. Thou shalt not bear false witness.
10. Thou shalt not covet.

Directly above the Chief Justice's chair is a tablet signifying the TEN COMMANDMENTS When the Speaker of the House in the U.S. Congress looks up, his eyes look into the face of Moses. "The Bible is the Book upon which this Republic rests."
- Andrew Jackson, Seventh President of the United States

"The moral principles and precepts contained in the Scriptures ought to form the basis of all our civil constitutions and laws. All the miseries and evils which men suffer from, vice, crime, ambition, injustice, oppression, slavery, and war, proceed from the despising or neglecting the precepts contained in the Bible."
-Noah Webster

A SUMMARY OF THE COMMUNIST MANIFESTO

The Communist Manifesto represents a misguided philosophy, which teaches the citizens to give up their RIGHTS for the sake of the "common good," but it always ends in a police state. This is called preventive justice. Control is the key concept. Read carefully:
1. Abolition of private property.
2. Heavy progressive income tax.
3. Aboliton to all rights of inheritance.
4. Confiscation of property of all emigrants and rebels.
5. A Central bank 6. Government control of Communications and Transportation
7. Government ownership of factories and agriculture.
8. Government control of labor.
9. Corporate farms, regional planning.
10. Free education for all children in govenment contolled schools

GIVE UP RIGHTS

FOR THE "COMMON GOOD"?

When the people fear the government you have tyranny; when the government fears the people, you have liberty.

Politicians, bureaucrats and especially judges would have you believe that too much freedom will result in chaos. Therefore, we should gladly give up some RIGHTS for the good of the community. In other words, people acting in the name of government, say we need more laws and more JURORS to enforce these laws - even if we have to give up some more RIGHTS in the process. They believe the more laws we have, the more control, thus a better society. This theory may sound good on paper, and apparently many of our 'leaders' think this way, as evidenced by the thousands of new laws that are added to the books each year in this country. But, no matter how cleverly this Marxist argument is made, the hard fact is that whenever you give up a RIGHT you lose a "FREE CHOICE"!

This adds another control. Control's real name is BONDAGE! The logical conclusion would be, if giving up some RIGHTS, produces a better society, then by giving up all RIGHTS we could produce the perfect society. We could chain everybody to a tree, for lack of TRUST. This may prevent a crime, but it would destroy PRIVACY, which is the heartbeat of FREEDOM! It would also destroy TRUST which is the foundation for DIGNITY. Rather than giving up RIGHTS, we shoud be giving up wrongs! The opposite of control is not chaos. More laws do not make less criminals! We must give up wrongs, not rights, for a better society! William Penn of the British House of Commons, once proclaimed, "Necessity is the plea for every infringement of human liberty; it is the argument of tyrants; it is the creed of slaves."

INALIENABLE, (UNALIENABLE) OR
NATURAL RIGHTS!

NATURAL RIGHTS ARE THOSE RIGHTS such as LIFE (from conception), LIBERTY and the PURSUIT OF HAPPINESS e.g. FREEDOM of RELIGION, SPEECH, LEARNING, TRAVEL, SELF-DEFENSE, ETC. Hence laws and statutes which vilolate NATURAL RIGHTS, though they have the color of law, are not law but imposters! The U.S. Constitution was written to protect these NATURAL RIGHTS from being tampered with by legislators. Further, our forefathers also wisely knew that the U.S. Constitution would be utterly worthless to restrain government legislators unless it was clearly understood that the people had the right to compel the government to keep within the Constitutional limits.

In a jury trial the real judges are the JURORS! Surprisingly, judges are actually just referees bound by the Constitution!

Lysander Spooner in his book Essay on the Trial by Jury wrote as follows:
"Government is established for the protection of the weak against the strong. This is the principal, if not the sole motive for the establishment of all legitimate government. It is only the weaker party that lose their liberties, when a government becomes oppressive. The stronger party, in all governments are free by virtue of their superior strength. They never oppress themselves. Legislation is the work of the stronger party; and if, in addition to the sole power of

legislation, they have the sole power of determining what legislation shall be enforced, they have all power in their hands, and the weaker party are the subjects of an absolute government. Unless the weaker party have a veto, they have no power whatever in the government and ...no liberties...The trial by jury is the only institution that gives the weaker party any veto power upon the power of the stronger. Consequently it is the only institution that gives them any effective voice in the government, or any guaranty against oppression."
The Complete TEXT of The Essay on the Trial by Jury is HERE

JURY TAMPERING?
A JURY'S Rights, Powers and Duties:

The Charge to the JURY in the First JURY Trial before the supreme Court of the United States illustrates the TRUE POWER OF THE JURY. In the February term of 1794, the supreme (Supreme is not capitalized in the Constitution, however Behavior is. Art. III) Court conducted a JURY trial and said: "...it is presumed, that the juries are the best judges of facts; it is, on the other hand, presumed that the courts are the best judges of law. But still both objects are within your power of decision."

"You have a right to take upon yourselves to judge of both, and to determine the law as well as the fact in controversy."
(State of Georgia vs. Brailsford, et al, 3 Dall 1)

"The JURY has an unreviewable and unreversible power...to aquit in disregard of the instructions on the law given by the trial judge..." (emphasis added)
U.S.vs Dougherty, 473 F 2nd 1113, 1139, (1972)

Hence, JURY disregard to the limited and generally conviction-oriented evidence presented for its consideration, and JURY disregard for what the trial judge wants them to believe is the controlling law in any particular case (sometimes referred to as "JURY lawlessness"{jury lawlessness means willingness to nullify bad law}) is not something to be scrupulously avoided, but rather encouraged. Witness the following quotation from the eminent legal authority above mentioned: "Jury lawlessness is the greatest corrective of law in its actual administration. The will of the state at large imposed on a reluctant community, the will of a majority imposed on a vigorous and determined minority, find the same obstacle in the local JURY that formerly confronted kings and ministers." (emphasis added)
Dougherty, cited above, note 32 at 1130

The Right of the JURY to be Told
of Its Power

Almost every JURY in the land is falsely instructed by the judge when it is told it must accept as the law that which is given to them by the court, and that the JURY can decide only the facts in the case. This is to destroy the purpose of a Common Law JURY, and to permit the imposition of tyranny upon the people.

"There is nothing more terrifying than ignorance in action."

Goethe - engraved on a plaque at the Naval War College

"To embarrass justice by a multiplicity of laws, or to hazard it by confidence in judges, are the oposite rocks on which all civil institutions have been wrecked."
Johnson - engraved in the Minnesota State Capitol
Outside the supreme Court Chambers

"...The letter killeth, but the spirit giveth life."
II Corinthians 3 vs 6

"It is error alone which needs the support of government. Truth can stand by itself."
Thomas Jefferson

The JURY'S options are by no means limited to the choices presented to it in the courtroom. "The jury gets its understanding as to the arrangements in the legal system from more than one voice. There is the formal communicaiton from the 'judge'. There is the informal communication from the total culture - literature, current comment, conversation; and, of course, histor y and tradition."
Dougherty, cited above, at 1135.

LAWS, FACTS AND EVIDENCE!

Without the power to decide what facts, law and evidence are applicable. JURIES cannot be a protection to the accused. If people acting in the name of government are permitted by JURORS to dictate any law whatever, they can also unfairly dictate what evidence is admissible or inadmissable and thereby prevent the WHOLE TRUTH from being considered. Thus if government can manipulate and control both the law and evidence, the issue of fact becomes virtually irrelevant. In reality, true JUSTICE would be denied leaving us with a trial by government and not a trial by JURY!

HOW DOES TYRANNY BEGIN?
WHY ARE THERE SO MANY LAWS?

Heroes are men of glory who are so honored because of some heroic deed. People often out of gratutude yield allegiance to them. Honor and allegiance are nice words for power! Power and allegiance can only be held rightfully by trust as a result of continued character.

When people acting in the name of government violate ethics, they break trust with "WE THE PEOPLE." The natural result is for "WE THE PEOPLE" to pull back power (honor and allegiance).

The loss of power creates fear for those losing the power. Fearing the loss of power, people acting in the name of government often seek to regain or at least hold their power. Hence, to legitimatize their quest for control, laws and force are often instituted.

Unchecked power is the foundation of tyranny. It is the JUROR'S duty to use the JURY ROOM

as a vehicle to stem the tide of oppression and tyranny: To prevent bloodshed by peacefully removing power from those who have abused it. The JURY is the primary vehicle for the peaceable restoration of LIBERTY, POWER AND HONOR TO "WE THE PEOPLE!"

YOUR VOTE COUNTS!

Your vote of NOT GUILTY must be respected by all other members of the JURY -it is the RIGHT and the DUTY of a JUROR to Never, Never, NEVER yield his or her sacred vote - for you are not there as a fool, merely to agree with the majority, but as an officer of the court and a qualified judge in your own right. Regardless of the pressures or abuse that may be heaped on you by any other members of the JURY with whom you may in good conscience disagree, you can await the reading of the verdict secure in the knowledge you have voted your own conscience and convictions - and not those of someone else.YOU ARE NOT A RUBBER STAMP!

By what logic do we send our youth to battle tyranny on foreign soil, while we refuse to do so in our courts? Did you know that many of the planks of the "Communist Manifesto"are now represented by law in the U.S.? How is it possible for Americans to denounce communism and practice it simultaneously?

The JURY judges the Spirit, Motive and Intent of both the law and the Accused, whereas the prosecutor only represents the letter of the law.

Therein lies the opportunity for the accomplishment of "LIBERTY and JUSTICE for ALL." If you, and numerous other JURORS throughout the State and Nation begin and continue to bring in verdicts of NOT GUILTY in such cases where a man-made statute is defective or oppressive, these statutes will become as ineffective as if they had never been written.

"If ye love wealth better than liberty, the tranquility of servitude better than the animating contest of freedom, go home from us in peace. We ask not your counsels or your arms. Crouch down and lick the hands which feed you. May your chains set lightly upon you, and may posterity forget that ye were out countrymen."
Samuel Adams

Section II
GIVE ME LIBERTY OR GIVE ME DEATH!

PATRICK HENRY SHOCKED!

Young Christian attorney Patrick Henry saw why a JURY of PEERS is so vital to FREEDOM! It was March 1775 when he rode into a small town of Culpepper, Virginia. He was totally shocked by what he saw! There, in the middle of the town square was a minister tied to a whipping post, his back laid bare and bloody with the bones of his ribs showing. He had been scourged mercilessly like JESUS, with whips laced with metal.

Patrick Henry is quoted as saying: "When they stopped beating him, I could see the bones of his rib cage. I turned to someone and asked what the man had done to deserve such a beating as

this."

SCOURAGED FOR NOT TAKING A LICENSE!

The reply given him was that the man being scourged was a minister who refused to take a license. He was one of twelve who were locked in jail because they refused to take a license. A license often becomes an arbitrary control by government that makes a crime out of what ordinarily would not be a crime. IT TURNS A RIGHT INTO A PRIVILEGE! Three days later they scourged him to death.

This was the incident which sparked Christian attorney Patrick Henry to write the famous words which later became the rallying cry of the Revolution. "What is it that Gentlemen wish? What would they have? Is life so dear, or peace so sweet, as to be purchased at the price of chains and slavery? Forbid it, Almighty El! I know no what course others may take, but as for me, GIVE ME LIBERTY OR GIVE ME DEATH!"(view complete speech here) Later he made this part of his famous speech at Saint John's Episcopal Church in Williamsburg, Virginia.

JURY OF PEERS

Our forefathers felt that in order to have JUSTICE, it was obvious that a JURY of "PEERS" must be people who actually know the defendant. How else would they be able to judge motive and intent?

"PEERS" of the defendant, like the rights of the JURY have also been severely tarnished. Originally, it meant people of "equals in station and rank." (Black's Law Dictionary, 1910), "freeholders of a neighborhood," (Bouvier's Law Dictionary, 1886), or a "A companion; a fellow; an associate." (Webster's 1828 Dictionary of the English Language).

WHO HAS THE RIGHT TO SIT ON A JURY?

Patrick Henry, along with others, was deeply concerned as to who has a right to sit on a JURY. Listen to our forefather's wisdom on the subject of "PEERS".

MR.HENRY

"By the bill of rights of England, a subject has a right to a trial by his peers. What is meant by his peers? Those who reside near him, his neighbors, and who are well aquainted with his character and situation in life." Patrick Henry, (Elliont,The Debates in the Several State Conventions on the Adoption of the Federal Constitution, 3:579).

Patrick Henry also knew that orignally the JURY of PEERS was designed as a protection for Neighbors from outside governmental oppression. Henry states the following, "Why do we love this trial by jury? Because it prevents the hand of oppression from cutting you off...This gives me comfort - that, as long as I have existence, my neighbors will protect me." (Elliot, 3:545, 546)

MR.HOLMES

Mr. Holmes, from Massachusetts, argued strenuously that for JUSTICE to prevail, the case must be heard in the vicinity where the fact was committed by a JURY of PEERS. "...a jury of the peers would, from their local situation, have an opportunity to form a judgement of the CHARACTER of the person charged with the crime, and also to judge of the CREDIBILITY of the witnesses." (Elliot, 2:110).

MR.WILSON

Mr. Wison, signer of "The unanimous Declaration," who also later became a supreme Court Justice, stressed the importance of the JUROR'S knowing personally both the defendant and the witnesses. "Where jurors can be aquainted with the characters of the parties and the witnesses - where the whole cause can be brought within their knowledge and their view - I know no mode of investigation equal to that by a trial by jury: they hear every thing that is alleged; they not only hear the words, but they see and mark the features of the countenance; they can judge of weight due to such testimony; and moreover, it is a cheap and expedious manner of distributing justice. There is another advantage anexed to the trial by jury; the jurors may indeed return a mistaken or ill-founded verdit, but their errors cannot be systematical." (Elliot, 2:516).

FREEDOM FOR WILLIAM PENN

"Those people who are not governed by Alohim will be ruled by tyrants."William Penn

Edward Bushell and three fellow JURORS learned this lesson well. They refused to bow to the court. They believed in the absolute power of the JURY, though their eight companions cowered to the court. The four JURORS spent nine weeks of torture in prison, often without food or water, soaked with urine, smeared with feces, barely able to stand, and even threatened with fines, yet they would not give in to the judge. Edward Bushell said, "My liberty is not for sale," though he had great wealth and commanded an international shipping enterprise. These "bumble heads", so the court thought, proved the power of the people was stronger than any power of government. They emerged total victors.

THE FIRST AMENDMENT

The year was 1670, and the case Bushell sat on was that of William Penn, who was on trial for violation of the "Conventicle Act." This was an elaborate Act which made the Church of England the only legal church. The Act was struck down by their not guilty vote. Freedom of Religion was established and became part of the English Bill of Rights and later it became the First Amendment to the Constitution of the United States. In addition, the Right to peaceful assembly was founded.Freedom of Speech, and also habeas corpus. The first such writ of habeas corpus ever issued by the Court of Common Pleas was used to free Edward Bushell. Later this trial gave birth to the concept of Freedom of the press.

Had Bushell and his colleagues yielded to the guilty verdict sought by the judge and prosecutor. William Penn most likely would have been executed, as he clearly broke the law.

HE BROKE THE LAW!

Then there would have been no Liberty Bell, no Independence Hall, no city of Philadelphia, and no state called Pennsylvania, for young Wiliam Penn, founder of Pennsylvania, and leader of the Quakers, was on trial for his life. His alleged crime was preaching and teaching a different view of the Bible than that of the Church of England. This appears innocent today, but then, one could be executed for such actions. He believed in freedom of religion, freedom of speech and the right to peaceful assembly. He had broken the government's law, but he had injured no one. Those four heroic JURORS knew that only when actual injury to someone's person or property takes place is there a real crime. No law is broken when no injury can be shown. Thus there can be no loss or termination of rights unless actual damage is proven. Many imposter laws were repealed as a result of this case.

IT IS ALMOST UNFAIR!

This trial made such an impact that every colony but one established the jur y as the first liberty to maintain all other liberties. It was felt that the liberties of people could never be wholly lost as long as the jury remained strong and independent, and that unjust laws and statutes could not stand when confronted by conscientious JURORS. JURORS today face an avalanche of imposter laws. JURORS not only still have the power and the RIGHT, but also the DUTY, to nullify bad laws by voting "not guilty". At first glance it appears that it is almost unfair, the power JURORS have over government, but necessary when considering the historical track record of oppression that governments have wielded over private citizens.

JEFFERSON'S WARNINGS!

In 1789 Thomas Jefferson warned that the judiciary if given too much power might ruin our REPUBLIC, and destroy our RIGHTS!

"The new Constitution has secured these [individual rights] in the Executive and Legislative departments; but not in the Judiciary. It should have established trials by the people themselves, that is to say, by jury." (emphasis added)

The Judiciary of the United States is the subtle corps of sappers and miners constantly working under ground to undermine the foundations of our confederated fabric.." (1820)

"...the Federal Judiciary; an irresponsible body (for impeachment is scarcely a scarecrow), working like gravity by night and by day, gaining a little to-day and a little tomorrow, and advancing its noiseless step like a thief, over the field of jurisdiction, until all shall be usurped from the States, and the government of all be consolidated into one....when all government...in little as in great things, shall be drawn to Washington as the centre of all power, it will render powerless the checks provided of one government on another and will become as venal and oppressive as the government which we seperated. 1821 (emphasis added)

"The opinion which gives to the judges the right to decide what laws are constitutional and what

not, not only for themselves in their own sphere of action, but for the legislative and executive also in their spheres, would make the judiciary a despotic branch."

"...judges should be withdrawn from the bench whose erroneous biases are leading us to dissolution. It may, indeed, injure them in fame or fortune, but it saves the Republic..."

Section III
INDEX TO THE ORIGINAL DOCUMENTS

GENERAL INDEX TO: THE UNANIMOUS DECLARATION

I. Need to dissolve certain political relationships.
II. Need to assume powers which Alohim entitles man.
III. Declaring separation from unjust government.
IV. Self-evident truths elaborated.
A. All men are created equal.
B. Alohim our Creator gives to each unalienable Rights
1.Life, Liberty, Happiness, property, safety, respect, privacy, etc.
C. The purpose of government is to protect the weak from the strong.
D. Right and duty to abolish bad government.
1. Fact: The Revolution was not out of rebellion by the colonies, but rather England rebelled against El's Law by repeated injuries of usurpation and tyranny. The young colonies wereforced to defend themselves against the King's tyranny.
a. eg. Bad laws, bad courts, police state (swarms of soldiers), taxes without consent, deprived of trial by jury, deporting people for trial. England declared the colonies out of their protection, rights of individuals plundered.
b. The colonies repeatedly petitioned England, but only received repeated injury.
c. England was warned from time to time.
d. England was deaf to the voice of justice.
V. The colonies appealed to El, the Supreme Judge of the world.
VI. The colonies right to be free and independent.
VII. Under the protection of El they pledged their lives, fortunes and honor.

GENERAL INDEX TO: CONSTITUTION OF THE UNITED STATES

Preamble: The people hold the power, "We the people...in order to form a more perfect union...and secure the blessings of liberty..."

ARTICLE I

SECTION:

1. Legislative powers.

2. House of representatives; qualification of members; apportionment of representatives and direct taxes; census; first apportionment; vacancies; officers of the house; impeachments.
3. Senate: classification of senators; qualifications of; vice president to preside; other officers; trial of impeachments.
4. Election of members of congress; time assembling of congress.
5. Powers of each house; punishment for disorderly Behaviour; journal; adjournments.
6. Compensation and privileges; disabilities of members.
7. Revenue bills; passage and approval of bills; orders and resolutions.
8. General powers of congress; borrowing of money; regulations of commerce; naturalization and bankruptcy; money; weights and measures; counterfeiting; post offices; patents and copyrights; inferior courts; piracies and felonies; war; marque and reprisal; armies; navy; land and naval forces; calling the militia; District of Columbia; to enact laws necessary to enforce the Constitution.
9. Limitations of congress; imigration; writ of habeas corpus; bills of attainder and ex post facto laws prohibited; direct taxes; exports not to be taxed; interstate shipping; drawing money from the treasury; financial statements to be published; titles of nobility and favors from foreign powers prohibited.
10. Limitations of the individual states; no treaties; letters of marque and reprisal; no coining of money; bills of credit; not allowed to make any Thing but gold and silver Coin a tender in payment of debts; no bills of attainder; ex post facto Law or law impairing the obligation of contracts; no titles of nobility; state imposts and duties; further restrictions on state powers.

ARTICLE II

SECTION:

1. Executive powers; electors; qualifications; vacancy; compensation and Oath of the president.
2. Powers and duties of the president, making of treaties; power of appointment.
3. Other powers and duties.
4. All government officers are liable to impeachment.

ARTICLE III

SECTION:

1. Judicial powers; all judges must have good Behaviour to stay in office; compensation not to be diminished.
2. Jurisdiction of federal courts and supreme court; trials for crimes by jury except impeachment.
3. Treason defined; trial for and punishment.

ARITICLE IV

SECTION:

1. Message to the states; each state is to give full faith and credit to public acts and records of other states.

2. Citizens of each state shall be entitled, fleeing from justice.
3. Admission of new states, power of congress over territories.
4. Republican form of government guaranteed to every state; protection from invasion or domestic violence.

ARTICLE V

SECTION:

1. Amending the Constitution.

ARTICLE VI

SECTION:

1. National obligations; Public debt; Constitution to be the supreme Law of the land; Constitutional Oath of office; no religious test required.

ARTICLE VII

SECTION:

1. Ratification of the Constitution; George Washinton signs as a Twelfthindi, the highest rank in Saxon government, eg. He was the equal of 1200 King Georges, or you as a juror are equal to 1200 presidents, congressmen or judges, local, federal or the supreme Court.

GENERAL INDEX TO:
THE BILL OF RIGHTS
and Amendments

PREAMBLE:
Limiting the federal government: An expressed desire to prevent abuse of federal powers!
ARTICLES - COMMON LAW

I. Religious freedom, both to an establishment as well as the free exercise thereof; freedom of speech, press; right of petition.
II. Right to bear arms.
III. Quartering of soldiers.
IV. The right to privacy and security against unreasonable searches and seizures: search warrants.
V. Grand Jury, double jeopardy, no one must witness against himself, no loss of life, liberty or private property without due process.
VI. Speedy and public trials, impartial jury; nature and cause, right to confront; compulsory witnesses, assistance of Counsel - (note: does not say attorney.)
VII. Right to trial by jury according to the rules of common law - (note: Ten Commandements are the foundation of Common Law.)

VIII. Excessive bail, fines, punishement etc. prohibited,
IX. Rights beyond Bill of Rights belong to the people.
X. Undelegated powers belong to the people unless given by the people to the states.Articles I-X were proposed September 25th, 1789, and ratified December 15th, 1791.AMENDMENTS - EQUITY LAW
XI.Restriction of judicial powers, proposed March 5th 1794, adopted January 8th, 1798.
XII. Manner of electing the president and vice president, proposed December 12th 1803, adopted September 25th, 1804.
**XIII. Slavery and involuntary servitude prohibited, took effect * December 18th 1865.
!XIV. Citizenship and status defined, privilege of 2nd, 3rd, or whatever status of citizenship one selects for oneself, as opposed to Freeholder with full sovereign rights: apportionment of representatives; who is prohibited from holding office; public debt. CAUTION: There is serious doubt as to the legality of this amendment because of the manner of ratificatin which was highly suspect. At least 10 States were held by force of arms until the proper authorities agreed to vote for this amendment. An excellent overview of this was written by the Utah Supreme Court - 439 Pacific Reporter 2nd Series pgs 266-276, and for a more detailed account of how the 14th amendment was forced upon the Nation see articles in 11 S.C.L.Q. 484 and 28 Tul. L. Rev. 22, took effect July 28th, 1868.
!XV. Non Freeholders given right to vote, took effect March 30th, 1870.
!XVI. Income tax, took effect February 25th, 1913. possible only four States ratified it properly.
!XVII. Direct elections of senators; electors; vacancies in the senate, took effect May 31st, 1913. This moved us from a complete Republic to a simple republic much like the style of government of the Soviet Union. States rights were lost and we were plunged headlong into a democracy of which our forefathers warned was the vilest form of government because it always ends in oppression.
XVIII. Prohibition of liquor traffic, took effect January 29th, 1920.
XIX. Voting for women, took effect August 27th, 1920.
XX. Terms of the president, vice president, senators and representatives; date of assembling of congress, vacancies of the president, power of the congress in presidential succession, took effect February 6th, 1933.
XXI. Eighteen Article (Prohibition) repealed, took effect December 5th, 1933.
XXII. Limits of the presidential term, took effect March 1st, 1951.
XXIII. Electors for the District of Columbia, took effect April 3rd, 1961
XXIV. Failure to pay any tax does not deny one the right to vote, took effect February 23rd, 1964.
XXV. Filling the office of the president or vice president during a vacancy, took effect February 23rd, 1967.
XXVI. Right to vote at 18, took effect July 5th 1971.

*Took effect is used as there is a great deal of suspicion as to the nature of these amendments (common law vs equity), also whether these last 16 amendments are legal, how many were ratified correctly, do they create a federal constitution in opposition to the original, etc. For further studies a good place to begin is with the article by the Utah Supreme Court on the 14th Amendment. 439 Pacific Reporter 2d Series, pgs. 266-276 , and Senate Document 240.
**Original 13th was baring titles of nobility, like esquires/bar attorneys
!These so called Amendments were never lawfully ratified. They were pushed through by Jesuits and other Satanists. They are all void, and We the People need to repeant, educate ourselves and not allow this treason to continue, Father willing.

JURY:...Petty Juries, consisting usually of twelve men, attend courts to try matters of fact in civil causes, and to decide both the law and the fact in criminal prosecutions. The decision of a petty jury is called a verdict..
American Dictonary of the English Language by Noah Webster 1828

PROCLAIM LIBERTY! Inscribed on our hallowed LIBERTY BELL are these words " Proclaim LIBERTY Thoughout all the Land unto all the Inhabitants Thereof."
Lev. XXV X

"Government is not reason; it is not eloquence; it is force! Like fire, it is a dangerous servant and a fearful master."
George Washington

"Woe to those who decree unjust statutes and to those who continually record unjust decisions, to deprive the needy of justice, and to rob the poor of My people of their rights..."
Isaiah 10 vs 1-2

"My people are destroyed for the lack of knowledge...!"
Hosea 4 vs 6

"The only thing necessary for evil to triumph is for good men to do nothing."
Edmund Burke 1729-1797

"If My people which are called by My name, shall humble themselves, and pray, and seek My face, and turn from their wicked ways; then will I hear from Heaven, and will forgive their sins, and will heal their land."
II Chronicles 7 vs 14

"We must obey Alohim rather than men."Acts 5:29

"The Only Thing Necessary For Evil To Triumph Is For Good Men To Do Nothing."
Edmund Burke 1729-1797